



Shire of
Chapman Valley
Love the Rural Life

AGENDA

FEBRUARY 2013

ORDINARY COUNCIL MEETING

**Notice is hereby given that an Ordinary Meeting
of Council will be held on Monday 18 February 2013
at the Council Chambers, Nabawa, commencing at 10:00am.**

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on

WRITTEN CONFIRMATION

of the outcome of the application or request of the decision made by the Shire of Chapman Valley.


Stuart Billingham
CHIEF EXECUTIVE OFFICER

INDEX

1.0	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS	
2.0	LOYAL TOAST	
3.0	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	
4.0	PUBLIC QUESTION TIME	
5.0	APPLICATIONS FOR LEAVE OF ABSENCE	
6.0	DISCLOSURE OF INTEREST	
7.0	PETITIONS/DEPUTATIONS/PRESENTATIONS	
8.0	CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS	
9.0	OFFICERS REPORTS	PAGE NO.
9.1	MANAGER OF PLANNING	7
9.2	CHIEF EXECUTIVE OFFICER	89
9.3	FINANCE & ADMINISTRATION	141
10.0	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
11.0	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	
12.0	GENERAL BUSINESS (Of an urgent nature introduced by decision of meeting)	
13.0	CLOSURE	

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 LOYAL TOAST

3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3.1 Present

3.2 Apologies

3.3 Approved Leave of Absence

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

4.2 Questions Without Notice

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 DISCLOSURE OF INTEREST

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 12 December 2012

That the minutes of the Ordinary Meeting of Council held 12 December 2012 with the following correction be confirmed as a true and accurate record.

“MOVED: CR COLLINGWOOD SECONDED: CR FORRESTER

That Cr Humphrey be allowed to join the meeting by instantaneous communication for items 9.2.3 and 9.2.4.

Voting 7/0
CARRIED
Minute Reference 12/12-10”

9.0 OFFICERS REPORTS

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

Manager of Planning

February 2013

Contents

9.1 AGENDA ITEMS

- 9.1.1 Proposed Outbuilding – Nanson
- 9.1.2 Proposed Subdivision – Hickety
- 9.1.3 Buller Rivermouth Access
- 9.1.4 Development Assessment Panels
- 9.1.5 Proposed Subdivision – Nabawa
- 9.1.6 Proposed Fire Fighting Shed – Howatharra
- 9.1.7 Lime Kilns and Stone Ruin – Oakajee
- 9.1.8 Proposed Road Naming – Yuna

AGENDA ITEM:	9.1.1
SUBJECT:	PROPOSED OUTBUILDING – NANSON
PROPONENT:	D BOOTH
SITE:	LOT 18 NANSON-HOWATHARRA ROAD, NANSON
FILE REFERENCE:	A315
PREVIOUS REFERENCE:	N/A
DATE:	8 FEBRUARY 2013
AUTHOR:	KATHRYN JACKSON

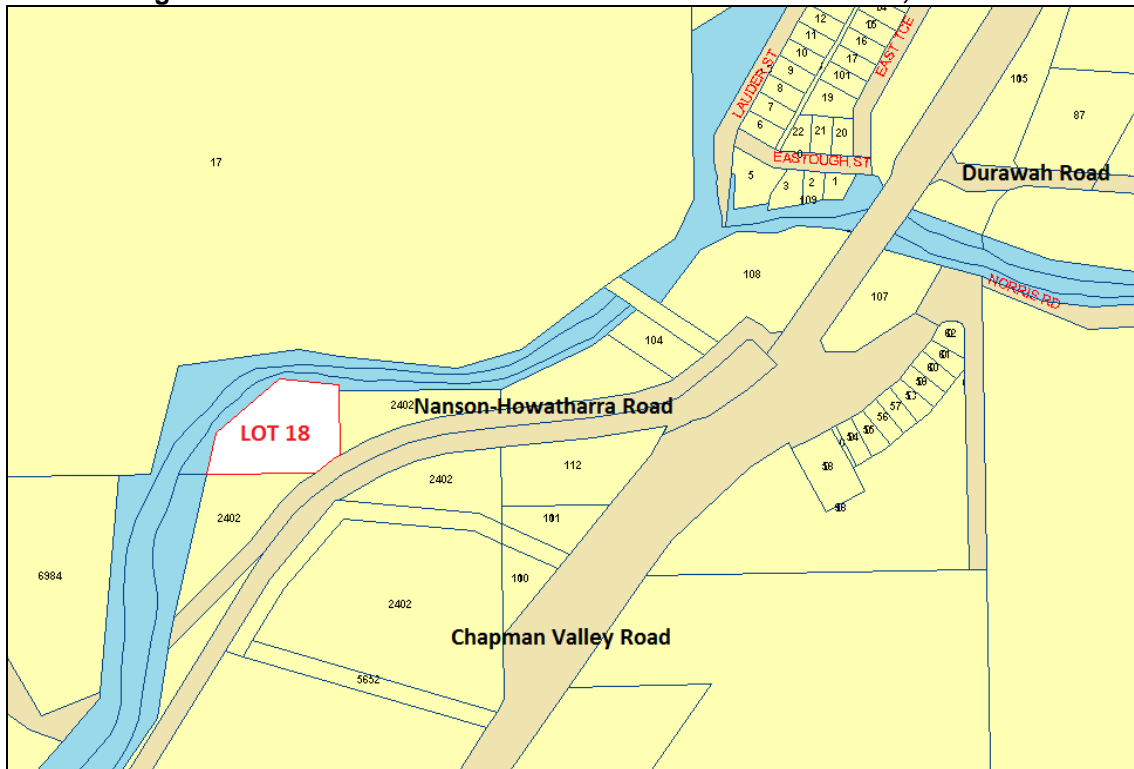
DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of an application for an outbuilding to be constructed upon Lot 18 Nanson-Howatharra Road, Nanson that does not comply with the Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') minimum front boundary setback requirements. This report recommends conditional approval of the application.

Figure 1 – Location Plan for Lot 18 Nanson-Howatharra Road, Nanson



COMMENT

Lot 18 is a 1.2ha property located approximately 500m west of the intersection of Chapman Valley Road and Nanson-Howatharra Road on the bend immediately before the one lane bridge that crosses the Chapman River. The property is roughly divided into three sections. The first section (eastern) closest to Nanson-Howatharra Road consists of the existing dwelling, outbuildings, gardens and horse stables. The second or middle section of the property has a fairly steep embankment and has been revegetated over the years by the owner and now has large mature trees scattered down and along the slope. The third or lower part of the property is made up of the Chapman River foreshore which extends into the western portion of the property. This area has been fenced by the landowner to protect the remnant vegetation and foreshore reserve.

Figure 2 – Aerial photograph demonstrating the three sections of the property



The applicant seeks approval for a 9mx3m (27m²) outbuilding with a wall height of 2.4m and an overall height of 2.9m. The outbuilding is proposed to be located in the first or upper part of the property in front of, and to the side, of the existing residence. The outbuilding is proposed to be setback 6m at its closest point to the front (southern) boundary and 5m at its closest point to the side (eastern) boundary. The front setback of 6m is not in accordance with the provisions of the Scheme which requires a minimum front boundary setback of 15m.

A copy of the site, floor and elevation plans for the application are included as **Attachment 1** and site photographs are included as **Attachment 2** to this report.

The applicant has also provided a letter in support of their application which has been included as **Attachment 3** to this report.

As the site photos and plans demonstrate the majority of the first section of the property has been developed either with structures or for the numerous gardens surrounding them. It is intended that this new outbuilding would be used to store garden related equipment and plants and would also afford a windbreak to the existing large vegetable garden that has been established.

The outbuilding has been designed to coordinate and blend with the existing development on site with the applicant including such design features as:

- a replica fire flue for the end of the outbuilding that may be seen through the existing vegetation which will give the outbuilding an appearance of being of 'heritage' age and therefore in keeping with the existing stone residence.
- Inclusion of windows on the frontage of the shed facing the road which will be timber framed period windows and will include curtains to give the appearance of a habitable structure, rather than a typical 'outbuilding'.
- Use of corrugated iron to match the roof of the existing residence and other outbuildings upon the site as well as give further credence to the notion of the outbuilding seeming of a 'heritage' design.

STATUTORY ENVIRONMENT

As the property has a curving front boundary line, and given that the outbuilding is proposed to be constructed at an angle to the front boundary, the outbuilding is proposed to be setback 8m from the front property boundary at its south-east corner and 6m at its south-west corner. As the

subject land is zoned 'General Farming' under the Scheme this specifies a minimum front boundary setback of 15m and therefore the outbuilding location does not comply with the Scheme's minimum front boundary setback requirements.

Section 3.1.3 of the Scheme states that Council may exercise discretion for the relaxation of development standards should the Council be satisfied that:

- “(a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirements or standard will not be unreasonably departed from thereby.”*

In considering the merits of this application and the requirements of the Scheme the proposal is supported at an officer level as the outbuilding:

- is not considered to cause an inconsistency in the existing streetscape nor cause a detrimental impact to the orderly and proper planning of the locality;
- is partially obscured by existing mature trees with the applicant having undertaken landscaping along the road frontage;
- is proposed to be constructed in complementary colours and design to the existing development on-site with the use of corrugated iron, a replica external fire flue detail and wooden window frames with curtains;
- is not considered to dominate the streetscape as the outbuilding would be clustered with existing development, partially obscured by existing vegetation and is designed in a way that gives the appearance of a habitable structure;
- is considered a low impact structure given its low wall and roof height, and 27m² overall size; &
- would not appear out of place as there is no other development along this portion of Nanson-Howatharra Road therefore approval of this application is not considered to set an undesirable precedent.

POLICY IMPLICATIONS

Point 3 of the Shire of Chapman Valley 'Outbuildings' Local Planning Policy states:

“An outbuilding is required to be sited behind the 'front building line' of a dwelling on lots less than 4.0 hectares in area in all zones, unless sufficient justification has been provided by the applicant and the building is consistent in design and materials with the existing dwelling.”

A Local Planning Policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. In this instance it is considered that the policy requirement may be waived based on the merits of the application.

The site photographs included as **Attachment 2** to this report demonstrate that in accordance with Point 3 of the 'Outbuildings' Policy the structure would be constructed in complementary materials and design to the existing residence and other ancillary structures upon the site. Given the unique setting, the issues of merit and level of landscaping established by the applicant, the structure is considered to be suitable in the context of this property and not in conflict with the intent and objectives of the Shire's 'Outbuilding' Policy.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

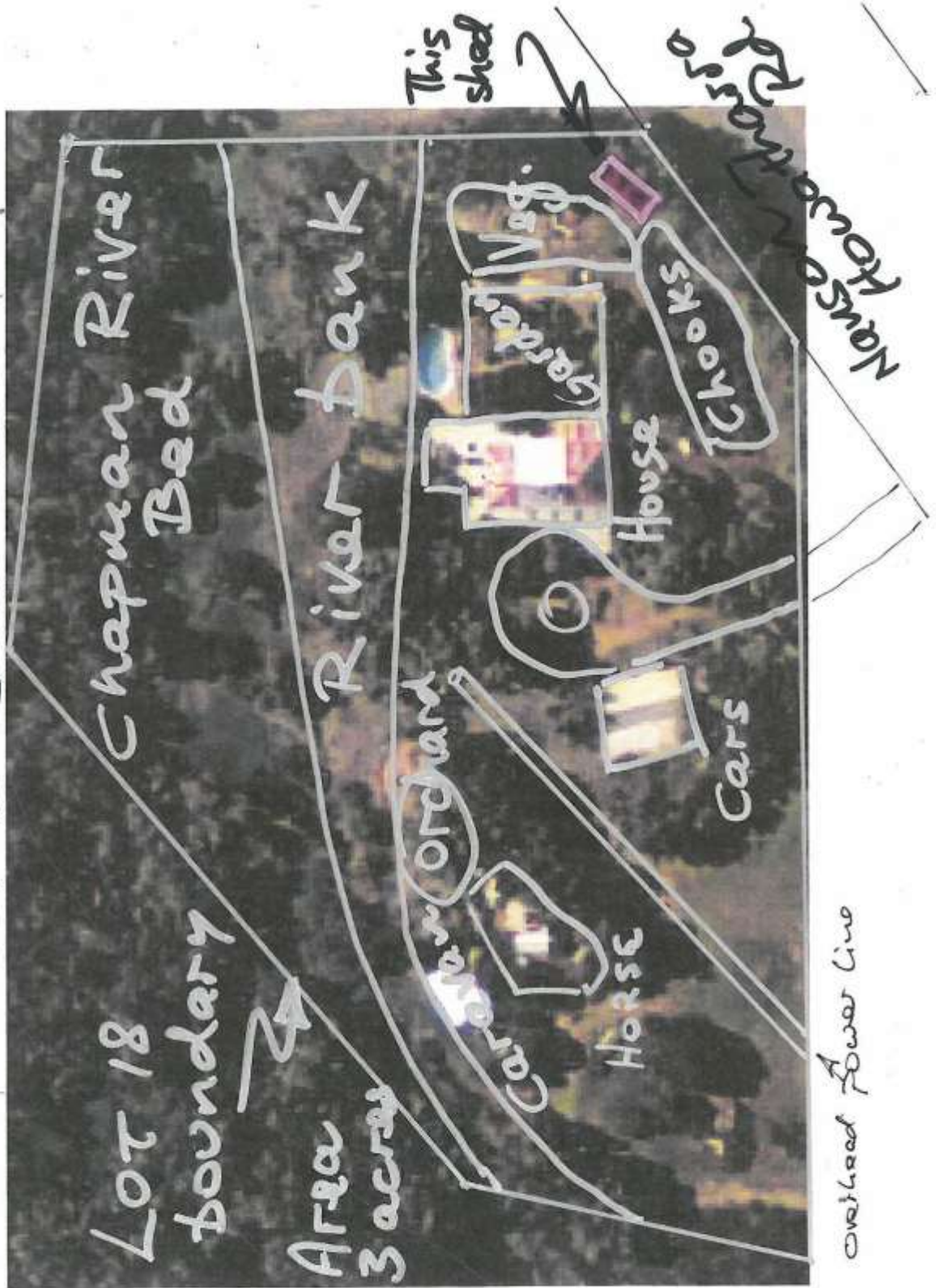
That Council grant formal planning approval for an outbuilding to be constructed upon Lot 18 Nanson-Howatharra Road, Nanson subject to the following conditions:

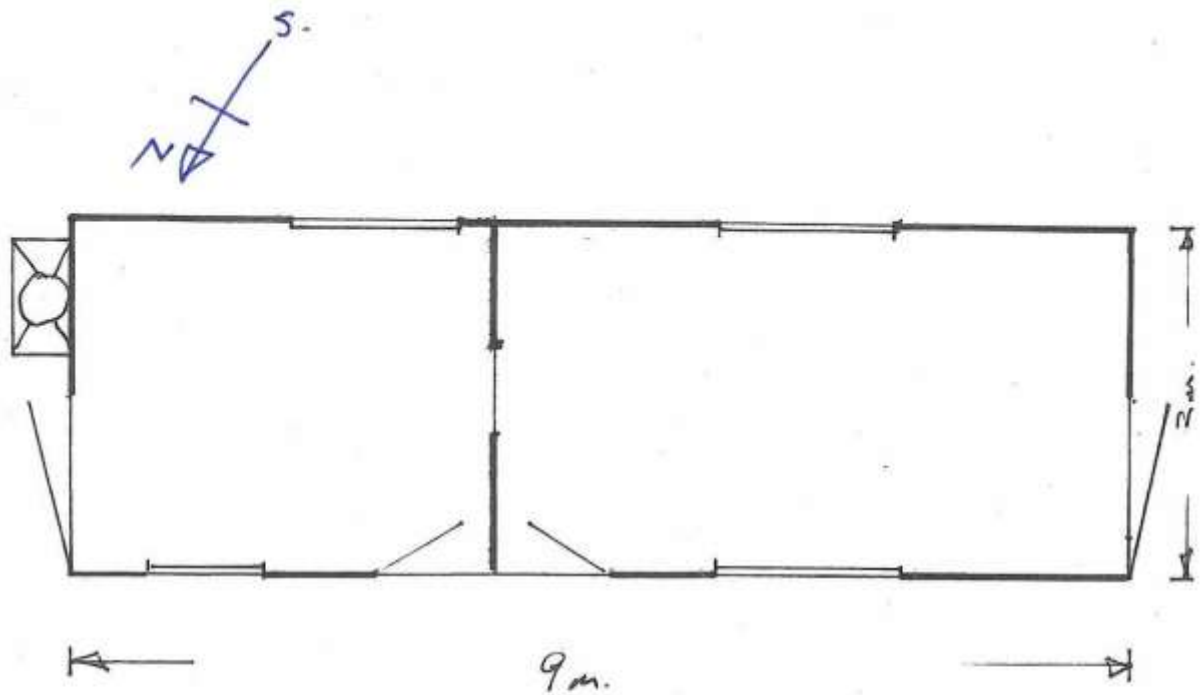
1. Development shall be in accordance with the attached approved plan(s) dated 18 February 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
3. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.
4. The owner/occupier is to maintain screening landscaping between the development and property boundaries for the purpose of reducing the visual impact of the development from the road and neighbouring properties.
5. The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government.
7. If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

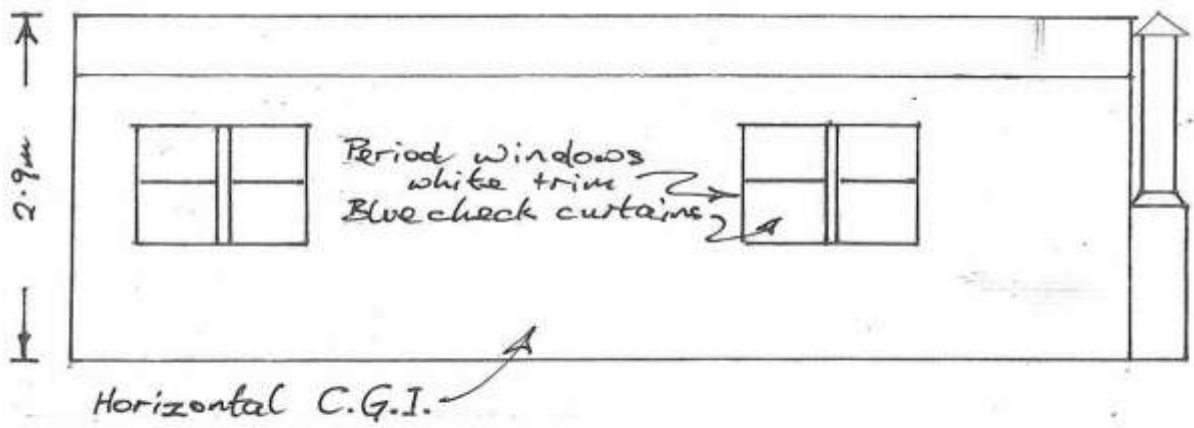
- i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- ii. If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

LOT 18 SCHEMATIC



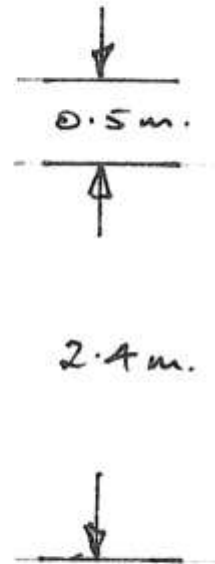
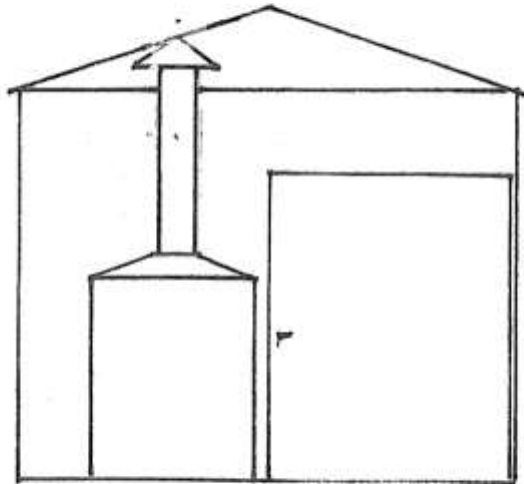


PLAN VIEW



S.E. ELEVATION

(VIEW FROM ROAD.)



S. W. ELEVATION.



Above: View of Lot 18 looking north from Nanson-Howatharra Road towards proposed outbuilding site

Below: View of Lot 18 looking west from Nanson-Howatharra Road towards outbuilding site, outbuilding site mostly obscured by trees lining road frontage





Above: View looking west, 4 stakes with yellow caps demonstrating the proposed location of the corners of the outbuilding

Below: View looking south from vegetable garden to proposed outbuilding location





Above: Established extensive vegetable garden

Below: View looking down embankment to the Chapman River





Above: The plants, seedlings and gardening tools in this greenhouse are proposed to be relocated to the new outbuilding

Below: View of landscaping and yard between the existing house and garage



Chapman Valley Shire Council,
Nabawa.

David Booth,
Lot 18, Nanson-Howatharra Rd,
Yetna.
tel 99205047.
22nd Jan 2013

Re: Locating my garden shed

Dear Councillors and Planning Dept,

When I planned my new vegetable garden two years ago I included a much-needed garden shed to store tools, mower, etc. and to have some room to propagate plants. I was sure that the setback distance from the road was 6 metres. So it was a shock to find it has to be a 15 metre setback. Unfortunately I don't have that much room available. I am now appealing to you to ask that you allow this building to have a six metre setback, on the grounds set out below.

1 It is planned that the shed will appear to be a c. 1910 fletcher's cottage. It will be similar to the old cottage at number 30, East Tee, Nanson. As the railway line was just across the road from this location a cottage of this sort would be very likely, and in keeping with the railway history of Nanson.

2 The building will have period windows and doors, and windows visible from the road will have blue and white check curtains.

3 The side facing the road will catch enough morning sun to support an attractive border garden, with sweet peas etc. on a trellis up the wall.

4 With the imitation chimney on the N.E. end, and the slight sag to be built into the ridge line, the building will have an air of well-maintained age.

5 The building will be largely hidden from view by the roadside trees, planted 33 years ago.

6 I had little choice when it came to locating the vegie garden and shed. The block is only 3 acres, and roughly half of that is subject to flooding by the river, being either flat river bed or the steep river bank (please see accompanying diagram). It must have suited Granny Lauder when the lot was surveyed in 1935 - the house was built for her, perhaps before that date, when this was part of Lauder's farm, centred on Nukara.

7 One reason for this shed to be in this location is to act as a wind break from the S.E.. It's this or a tall fence, which would probably look terrible.

To conclude, I am asking you to trust my judgement, and ability, to build in harmony with the surroundings. If there are doubts, please come and see my other buildings here, and I hope you will be reassured.

Thank you for your kind attention.

Yours faithfully,



David Booth

AGENDA ITEM:	9.1.2
SUBJECT:	PROPOSED SUBDIVISION, HICKETY
PROPONENT:	LANDWEST FOR Y. JOB
SITE:	LOT 11 AHERN PLACE, HICKETY
FILE REFERENCE:	A1046
PREVIOUS REFERENCE:	3/09-12 & 2/10-5
DATE:	4 JANUARY 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of correspondence from the Western Australian Planning Commission ('WAPC') seeking its comment upon an application to subdivide Lot 11 Ahern Place, Hickety. This report recommends conditional support for the subdivision application.

COMMENT

Lot 11 is a 45.095ha property located at the northern end of Ahern Place, the unconstructed Oakabella East Road Reserve abuts Lot 11 to the west, and a further unconstructed road reserve abuts the land to the north-east.

Figure 1 - Location Plan for Lot 11 Ahern Place, Hickety



The physical form of Lot 11 is dominated by a wetland running east-west through the centre of the property and separate cleared areas situated to the north and the south of the wetland that have been used for stocking purposes. Lot 11 contains a building located approximately 60m inside the south-west boundary of the property within the southern cleared area, an internal access network, and fencing about the wetland area.

The landowner has previously entered into a management agreement with the Northern Agricultural Catchment Council to conserve the wetland upon their property and prevent erosion and salinity through fencing the wetland and revegetating the adjacent land.

Figure 2 – Aerial Photograph of Lot 11 Ahern Place, Hickey



The applicant proposes that Lot 11 be subdivided into 2 lots of 20.1ha and 24.99ha, each fronting the Ahern Place cul-de-sac head. The submitted subdivision plan and detailed covering letter have been included as **Attachment 1** for Council's further information.

Figure 3 – View of Lot 11 looking south towards wetland area



Council resolved at its 17 February 2010 meeting to adopt for final approval the rezoning of Lot 11 Ahern Place to enable subdivision with a minimum lot size of 20ha and to also adopt the Subdivision Guide Plan as contained within the Scheme Amendment No.45 documentation. The submitted subdivision plan (WAPC 147186) varies from the Subdivision Guide Plan previously adopted by Council, but only to a minor degree and staff therefore raise no objection to this variation. The previously adopted Subdivision Guide Plan has been included as **Attachment 2** for Council's information and demonstrates that the proposed dividing boundary alignment has now been adjusted, but that the lot sizes still accord with the 20ha minimum and the building envelopes have not been modified and are still setback from the wetland area.

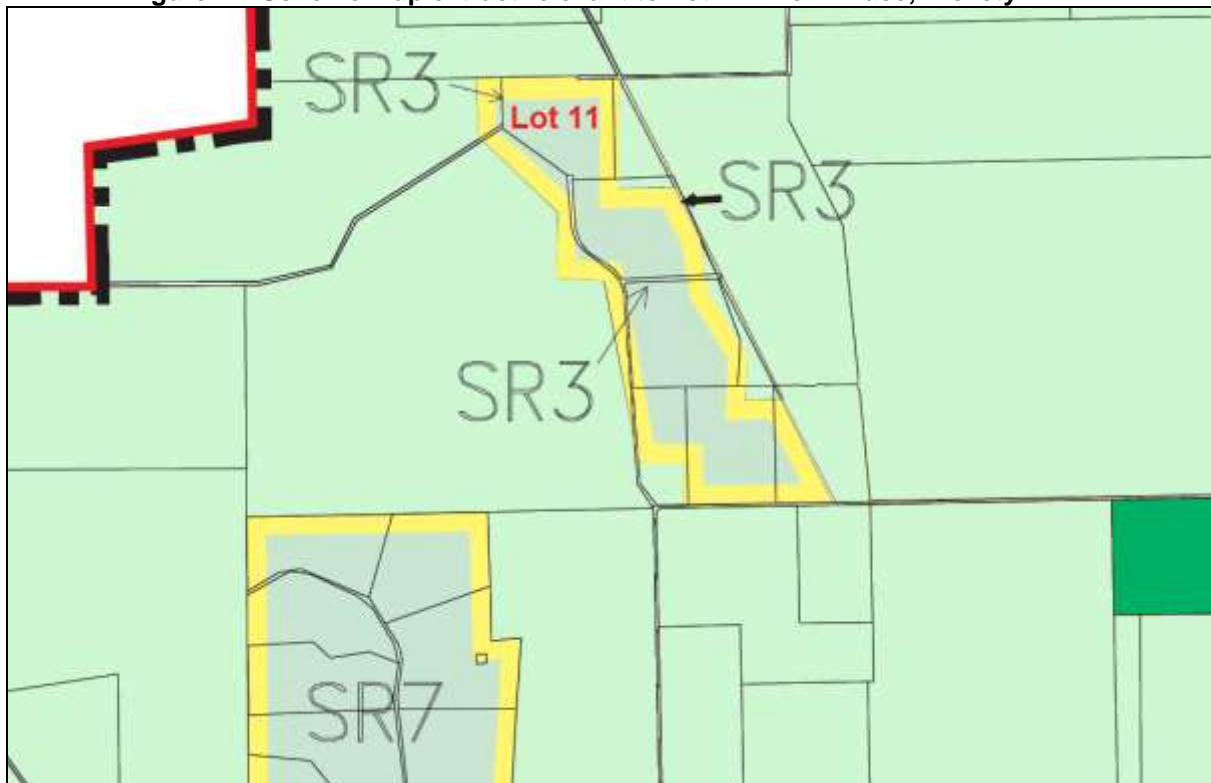
Lot 11 is not currently serviced with reticulated power and the applicant is seeking approval from the WAPC for both lots to be created without access to mains power as detailed in their supporting letter. This will be a matter for Western Power and the WAPC to resolve but it is

worth noting that a lot was approved for subdivision by the WAPC in 2011 on Durawah Road (following a request for reconsideration) subject to notification on the title advising that “No electrical point of supply to an electrical distribution network has been supplied to this lot. If power is required in the future the owner will have to make their own arrangements with Western Power for a suitable connection”.

STATUTORY ENVIRONMENT

Lot 11 Ahern Place, Hickey is zoned ‘Special Rural 3’ under Shire of Chapman Valley Town Planning Scheme No.1 (‘the Scheme’).

Figure 4 – Scheme Map extract relevant to Lot 11 Ahern Place, Hickey



The Policy Statement under the Scheme for the ‘Special Rural’ zone is as follows:

“It is the intention of the Council to provide a variety of opportunities for rural/residential and hobby farm lifestyles. It is also the intention of Council to ensure that the activities undertaken within the areas so zoned, maintain a rural character and the areas as a whole do not have detrimental effect on nearby farming and other land uses. The standards and requirements of this table are general in nature and may be modified by Clause 3.1.20 and Appendix 6.”

Appendix 6 – ‘Additional Requirements and Modifications Applicable to Special Rural Zones’ of the Scheme requires for the ‘Special Rural Area No.3’ as follows:

- “1 *Outline Plan of Subdivision*
 - (a) *the subdivision of the land shall accord with the Outline of Subdivision Plan approved by the Council for this location;*
 - (b) *the minimum lot size shall be 45ha;*
 - (c) *For Lot 11 Ahern Place the minimum lot size shall be 20ha; and*
 - (d) *For Lot 11 the subdivision and development of the land shall accord with the revised Outline Plan of Subdivision approved by Council for this property.*

- 2 *Applications for Planning consent*
In addition to the requirements of Clause 5.1.2 of the Scheme all applications for planning consent are required to be accompanied by relevant plans and information that:
- (a) *propose appropriate land management techniques to the satisfaction of the responsible authority to make good areas of degradation identified as such;*
 - (b) *delineate areas of significant remnant vegetation, surface water and other water bodies and significant topographical features;*
 - (c) *delineate areas of stock grazing and proposed stock numbers;*
 - (d) *delineate the proposed location of building envelopes;*
 - (e) *delineate the location of existing and proposed effluent disposal systems;*
 - (f) *delineate location of existing tracks and fences and proposed location of fences and driveways; and*
 - (g) *describe materials and colour of external cladding of all proposed buildings.*
- 3 *Land use*
- (a) *When considering applications for development approval (planning consent), the local authority may refer the application to the Water Authority of WA (WAWA), the Environmental Protection Authority (EPA), the Western Australian Department of Agriculture (WADA) and any other responsible authority and relevant Government agency for comment and approval where appropriate;*
 - (b) *Piggeries, feedlots and extractive industry are prohibited; and*
 - (c) *The subdividing owner of the land shall make arrangements satisfactory to the local authority to ensure that prospective purchasers are advised that preliminary advice should be sought from the Western Australian Department of Agriculture regarding the establishment within the subject land any proposed use that falls under the use class 'intensive agriculture' as defined in Clause 1.7.*
- 4 *Stocking Rates*
- (a) *The keeping of animals (other than domestic pets) shall accord with the following maximum stocking rates:*
2.5 dry sheep equivalent/ha or
2.5/5 ha horse
1.6/4 ha pony
2.5/10 ha milking cow
2.5/ha dairy goat
5.0 ha cashmere goat
Only one stock option or a combination equivalent of one option will be permitted unless it can be demonstrated that given:
 - *soil quality;*
 - *pasture management;*
 - *stabling, yarding and supplementary feeding**an increase in the maximum stocking rate would not result in the degradation of the land then such an increased rate is permitted.*
 - (b) *application for approval for an increased stocking rate is to be submitted to and determined by the local authority. The local authority in determining an application for an increase in the stocking rate may consult the Western Australian Department of Agriculture and affected surrounding land owners on desirable rates and applicable pasture type;*
 - (c) *Where the keeping of animals (other than domestic pets) results in problems due to land degradation, nutrient enrichment/leaching, animal welfare or public nuisance, the local authority may require restriction of stocking rates to the above rate as described in part (a).*

- 5 *Water Resources*
- (a) *Where scheme water supply is unavailable a minimum 92,000L rainwater storage facility for each residence or evidence from the proponent which is satisfactory to the local authority than an adequate on-site potable water source exists shall be provided;*
 - (b) *A licence from Water Authority of Western Australia is required to draw groundwater from a well, bore, dam or any naturally occurring surface water body or watercourse;*
 - (c) *As the area has not been surveyed for hydrological resources, the prior advice of the Water Authority of Western Australia should be sought regarding the provision of a water supply for any proposed 'intensive agriculture' use and development;*
 - (d) *All storm water from structures or paved surfaces is to be contained within each lot;*
 - (e) *No development or land use activity shall impede in any way the natural water flow along any creek line or water course;*
- 6 *Clearing of Land*
- (a) *The clearing of land of an area greater than one hectare requires the prior approval of the Soil Commissioner of the Western Australian Department of Agriculture;*
 - (b) *No removal of any remnant native vegetation (including any tree) is permitted without the prior approval of the local authority;*
- 7 *Location, siting and appearance of buildings*
- (a) *All residential and ancillary buildings shall be located and constructed within an approved building envelope for each proposed lot;*
 - (b) *Notwithstanding (a) above, where by reason of the nature of material to be stored in a building it is considered that it would be undesirable that the buildings be clustered, the buildings may be separated by such distance as determined by the local authority;*
 - (c) *No building shall be constructed in such a manner or of such materials that it would in the opinion of the local authority, have a detrimental impact on the local amenity.*
- 8 *Effluent Disposal*
- (a) *Septic tanks shall be located at a minimum distance of 50m from drainage lines and any naturally occurring surface water body or watercourse and a minimum distance of 30m from any bore, well or dam.
A minimum 2m vertical separation is required between the base of the leach drain or soakwell and the highest known water table or bedrock.*
 - (b) *In considering applications for planning consent Council shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, watercourse or underground aquifer.*
- 9 *Fencing*
- Prior to any stocking of land, all areas of remnant native vegetation, including vegetation along streamlines, shall be fenced with stock proof fencing to the specification and satisfaction of the local authority. All fences are to be maintained in a stock proof condition by the landowner to the satisfaction of the local authority.*
- 10 *Landscaping*
- (a) *All buildings and structures within any lot shall be suitably screened to the satisfaction of the local authority;*
 - (b) *Prior to the commencement of any development on any lot, the local authority will require the preparation of a tree planting and maintenance program with the intent of rehabilitating and revegetating any areas of degraded land so identified but without restricting the operation of approved rural activities.*

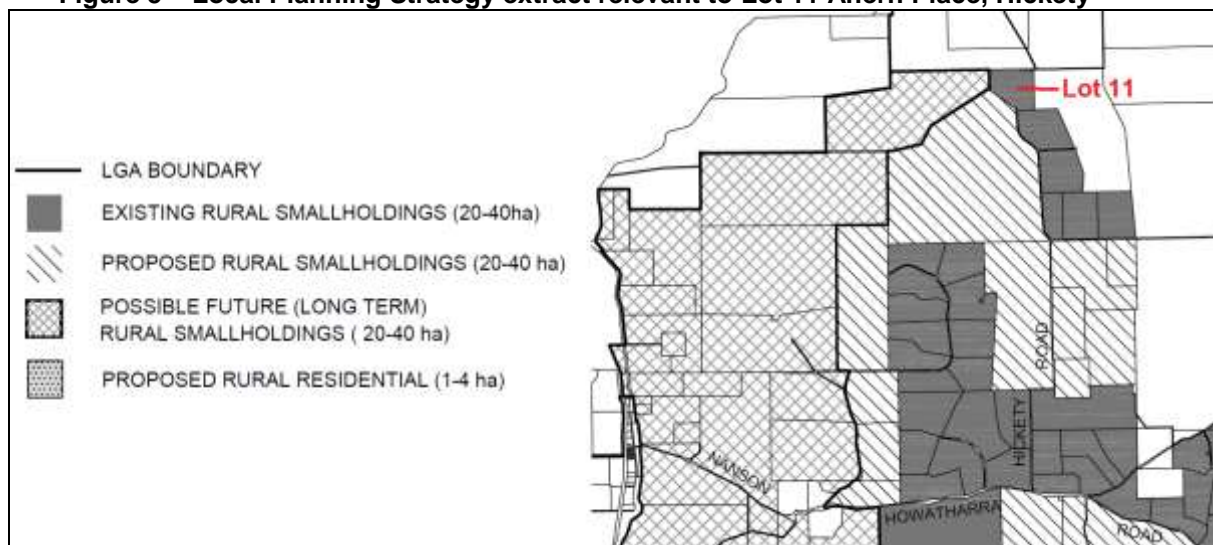
- 11 *Fire Management*
At the time of subdivision the following fire management controls will be imposed:
- (a) *A strategic fire break for each lot will be installed in a manner acceptable to the local authority in consultation with the Bush Fires Board.*
 - (b) *Provision of a suitable permanent water supply for fire-fighting purposes to be established in consultation with the local authority and the Bushfires Board of WA.*
- 12 *Advice to purchasers of lots*
As a condition of any subdivision approval granted, the subdividing owner of the land is to advise, to the specifications and requirements of the Shire, prospective purchasers of any lot created within this location of all of the provisions contained herein."

Lot 11 is zoned 'Rural Smallholding 1' under the Shire of Chapman Valley Local Planning Scheme No.2, and the proposed application would accord with this zoning and the Scheme No.2 text.

POLICY IMPLICATIONS

Lot 11 Ahern Place, Hickety is located within Precinct No.3 – 'Chapman Valley' of the Shire of Chapman Valley Local Planning Strategy (2008). Figures 3 and 7 of the Local Planning Strategy identify Lot 11 as 'Existing Rural Smallholdings (20-40ha)', therefore the subdivision application is deemed to accord with this strategic direction.

Figure 5 – Local Planning Strategy extract relevant to Lot 11 Ahern Place, Hickety



The stated Vision for Planning Precinct 3 is:

"A diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources."

The proposed subdivision can be considered to satisfactorily achieving the following objectives of Planning Precinct No.3:

- 3.1.1 *Ensure that the rezoning and subdivision of rural land into Rural Smallholdings maximises and reflects the agricultural potential of the land, and can accommodate a range of agricultural pursuits coupled with lifestyle opportunity.*
- 3.2.1 *Facilitate agricultural diversification in appropriate areas where there will be no detrimental impact to the surrounding land.*
- 3.3.1 *Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and salinity levels.*

- 3.3.2 *Protect and enhance existing catchments, botanical linkages and vegetation/wildlife corridors.*
- 3.3.5 *Protect the rural amenity and character of the area from incompatible land use/development, again through the implementation of appropriate environmental and planning controls.*
- 3.3.7 *Encourage conservation of biodiversity and farm sustainability based on natural resource management practices.”*

The Local Planning Strategy does make reference to the following infrastructure objective 3.4.2, but it may be considered that the creation of the proposed lots as ‘self-powered lots’ that are off mains power is not contrary to this objective, and would be appropriate in this particular instance given the proposed lots would have an eco-lifestyle appeal arising from the fenced wetland that is subject to revegetation works.

“3.4.2 Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use, rezoning, development or subdivision, to avoid burden (financial or otherwise) on the Council’s resources.”

FINANCIAL IMPLICATIONS

Applications requiring the modification of structure plans once approval has been given incur a fee of \$865 (GST exclusive) under the Shire’s adopted fee schedule.

STRATEGIC IMPLICATIONS

The Geraldton Region Plan (1999) seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a Structure Plan (updated in 2011) and the 2011 Structure Plan report noted in Section 3.2.1 that:

“Some ‘rural living’ areas do exist beyond the Moresby Range in the Chapman Valley, however, these are zoned as ‘special rural’ in the local planning scheme and are generally intended for larger lots (>20ha).

Further, ‘future rural living’ has also been included in this area, consistent with areas identified in the Shire of Chapman Valley Local Planning Strategy (2008) for proposed and possible (long-term) rural residential and rural smallholdings.”

Section 3.2.3 of the Greater Geraldton Structure Plan (2011) reports notes that:

“It is acknowledged that a substantial area of rural land beyond the northern boundary of the structure plan has been identified for future rural living purposes in the endorsed local planning strategies for the Shires of Chapman Valley and Northampton. These areas are currently beyond the scope of the Greater Geraldton Structure Plan 2011 and will be considered through the proposed wider regional planning.

State Planning Policy 2.5 Agricultural and Rural Land Use Planning that outlines guiding principles for the planning and development of rural land is currently being revised. The revised policy may have implications for future rural land use within the Greater Geraldton Structure Plan area.”

VOTING REQUIREMENTS

Simple majority of Council

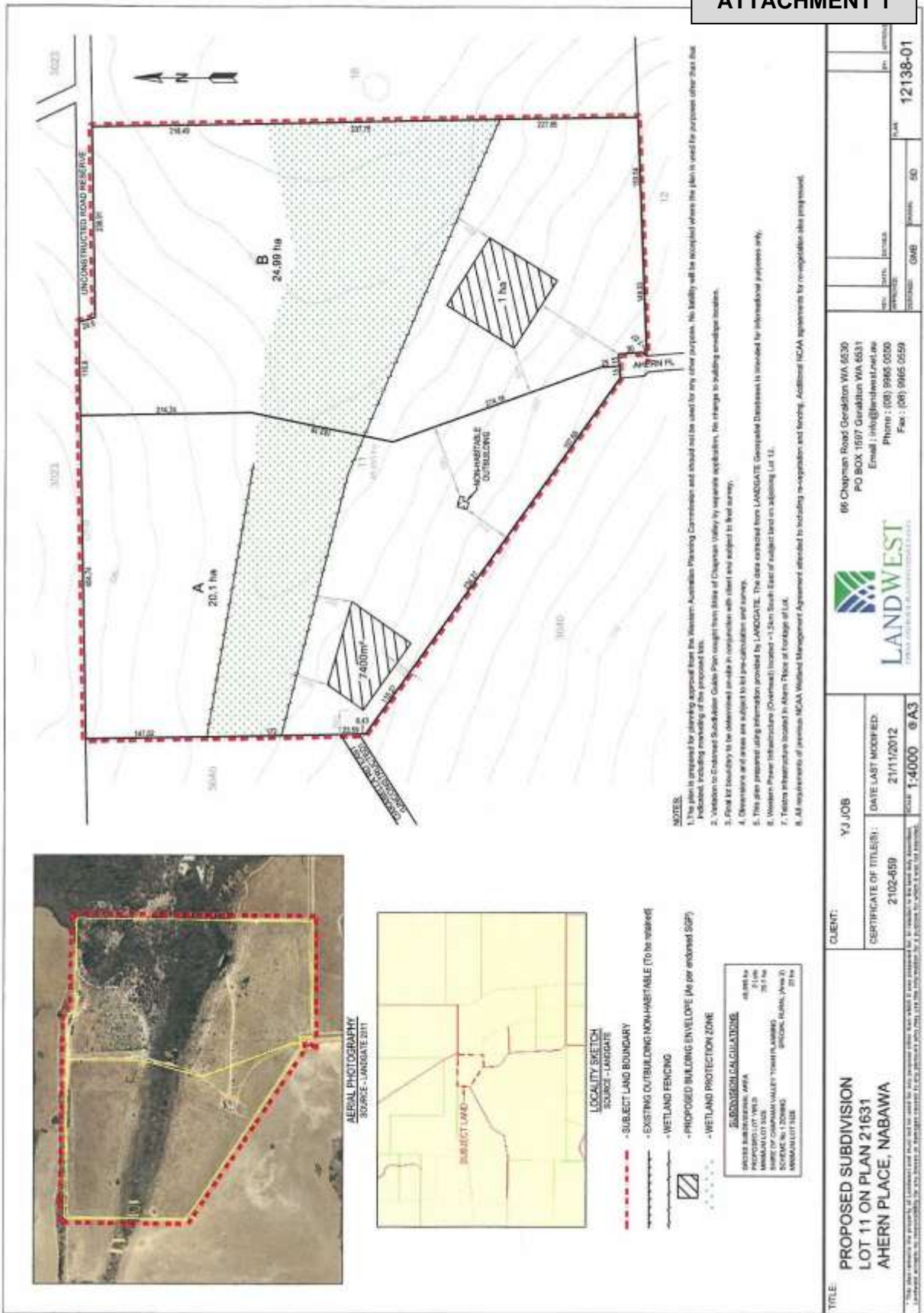
STAFF RECOMMENDATION

That Council advise the Western Australian Planning Commission that it approves Plan No.12138-01 (WAPC date stamped 13/12/12) as the Outline Plan of Subdivision for Lot 11 Ahern Place, Hickety, as required by Appendix 6A - Special Rural Area 3 (1)(d) of Shire of Chapman Valley Town Planning Scheme No.1, and supports the proposed subdivision subject to the following conditions and advice notes:

- 1 Property boundaries of all proposed lots shall be fenced by the subdivider to an appropriate standard to the satisfaction of the Local Government.
- 2 Wetland Areas shall be fenced by the subdivider to an appropriate standard to the satisfaction of the Local Government.
- 3 A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the Certificates of Title of proposed lots A & B by the subdivider to ensure prospective purchasers of the lots are advised of those provisions of the Town Planning Scheme (Special Rural Zone – Area 3 as per Scheme Amendments 5 & 45) which relate to the use and management of the land.
- 4 Building envelopes to be pegged on-site by the subdivider to the satisfaction of the Local Government.
- 5 The subdivider to provide fire fighting facilities (or a financial contribution in lieu of) in accordance with Council's 'Bushfire Policy – Rural and Special Rural Subdivision & Residential Development' to the satisfaction of the Local Government.

Advice Note:

- a) In regards to conditions 1 & 2, the proposed fencing shall be installed at the subdivider's cost to a minimum standard of 6 strand ring lock to the satisfaction of the Local Government.
- b) Should the WAPC and Western Power consider that in this particular circumstance it is appropriate for the created lots to be self-powered eco-lots it suggested that a Notification, pursuant to Section 70A of the *Transfer of Land Act 1893* (as amended) should be placed on the Certificates of Title advising that "No electrical point of supply to an electrical distribution network has been supplied to this lot. If power is required in the future the owner will have to make their own arrangements with Western Power for a suitable connection".



TITLE PROPOSED SUBDIVISION LOT 11 ON PLAN 21631 AHERN PLACE, NABAWA		CLIENT: 'YJ JOB CERTIFICATE OF TITLE NO: 2102-459 DATE LAST MODIFIED: 21/11/2012 SCALE: 1:4000 @ A3	66 Chapman Road Geraldton WA 6530 PO BOX 1977 Geraldton WA 6531 Email: info@landwest.com.au Phone: (08) 9965 0500 Fax: (08) 9965 0599	12136-01
---	--	--	---	----------



Our Ref: 12138

10 December 2012

Regional Manager
Western Australian Planning Commission
PO Box 68
GERALDTON WA 6531

Dear Sir

PROPOSED SUBDIVISION LOT 11 ON PLAN 21631 AHERN PLACE NABAWA

On behalf of the owner of the above landholding, application is made for the subdivision of the lot. Please find enclosed –

- Form 1A application form;
- eight (8) copies of plan number 12138-01 dated 21/11/2012;
- certificate of title 2102-659; and
- credit card payment form for payment of \$1,603.00, being the prescribed application fee.

The Landholding

The property is located at the northern end of Ahern Place in the locality of Nabawa, just south of the Shire boundary with Shire of Northampton. The unconstructed Oakabella Road East road reserve abuts the land to the west. The property contains an existing outbuilding that will be retained.

The subject land lies between 210m and 222m AHD and slopes gently into the central low point that contains a wetland and associated remnant vegetation. The remnant vegetation runs the entire width of the land, connecting to a wider environmental feature. The vegetation consists predominantly of *Casuarina*, *Banksia* and *Xanthorrhoeacea* species. The property has been destocked to assist with minimizing soil erosion and revegetation and improved land management.

Previously the proponents have entered into management agreements with the Northern Agricultural Catchments Council NACC. The agreements have been implemented in full, to conserve bio-diversity and to prevent erosion and salinity. The provisions required fencing of the wetlands, re-vegetation adjacent to the water course, and substantial tree planting programs across the site.

The subject land is serviced by the existing rural road network, being rural road standards. The landholding is not serviced with a reticulated power supply. Potable water for stock watering is obtained from onsite ground water supplies.

66 Chapman Road (Opposite Railway Station) Geraldton WA 6531 | PO Box 1597 Geraldton WA 6531
Telephone: (08) 9965 0750 | Fax: (08) 9965 0759 | Email: info@landwest.net.au
Landwest Holdings Pty Ltd | ABN 42 122 836 748

Land Appraisal | Zoning/Scheme Amendments | Small & Large Scale Subdivisions | Strata Schemes | Development Applications | Project Management



In addition, the landowner holds a *License to Take Water* issued by the Department of Water (DOW), with validity until June 2014. The license covers the following activities –

- > Domestic purposes
- > Irrigation of 0.01 hectare of herbs (100m²)
- > Stock Watering

Statutory Provisions

The subject land is zoned "Special Rural Area 3" in the Shire of Chapman Valley Town Planning Scheme No.1 TPS No.1. Appendix 10 contains additional provisions which relate to subdivision of the subject land, and other land use and management controls.

The scheme requires that all subdivision accord with the Outline Subdivision Plan approved by Council. The current guide plan was endorsed by the Council and Western Australian Planning Commission in 2010, as a part of amendment no 45. The amendment also revised the minimum lot size for the subject land to 20 hectares. This application seeks approval to vary the previously endorsed guide plan, to better reflect current land management initiatives, and to pay regard to current circumstances.

The proposed subdivision is consistent with the objectives of the Shire of Chapman Valley Local Planning Strategy precinct in which is located – *Precinct No 3 – Chapman Valley*. The proposal will facilitate subdivision to a 20 hectare minimum lot size, enable some diversification, further enhance current re-vegetation programs, and scheme provisions ensure effective land management controls.

The Proposal

Approval is sought for the creation of two (2) lots. Approval is sought from both the Shire of Chapman Valley and the Western Australian Planning Commission to vary the endorsed subdivision guide plan.

Proposed Lot A will be 20.1ha in area, which complies with the prescribed minimum lot size. Access will be via existing crossover to Ahern Place. The proposed lot will retain the existing non-habitable outbuilding. The proposed building envelope location and size is per the endorsed guide plan, and is sufficiently offset and maintains minimum vertical separation from the water course for positioning of effluent disposal systems, in accordance with scheme provisions. The water course has previously been fenced in accordance with NACC land management agreements.

Proposed Lot B will be 24.99 hectares in area. The lot will derive access to Ahern Place by an existing crossover. The proposed building envelope is similarly as per the endorsed guide plan. Fencing of the water course and significant re-vegetation adjoining the water course has previously been undertaken in accordance with NACC agreements. In addition, a significant tree planting program has been commenced on both the southern and northern sides of the water course.

The variation to the guide plan will also ensure better access and egress in terms of fire management.

It is expected that as a condition of the subdivision, the Shire of Chapman Valley will require prospective purchasers to be advised of the scheme provisions which relate to the use and management of the land, including (but not limited to) – approved land uses; stocking rates; water resources; clearing and re-vegetation requirements; building envelopes; effluent disposal; fencing requirements; landscaping; and fire management.

66 Chapman Road (Opposite Railway Station) Geraldton WA 6530 | PO Box 1597 Geraldton WA 6531
Telephone: (08) 9265 0550 | Fax: (08) 9265 0559 | Email: info@landwest.com.au
Landwest Holdings Pty Ltd | ABN 43 122 886 745

Land Appraisal | Rezoning/Scheme Amendments | Small & Large Scale Subdivisions | Strata Schemes | Development Applications | Project Management



At development stage, both proposed lots will be required to demonstrate sufficient potable water storage capacity of minimum 92,000 litres, for water supply and fire management purposes.

The property is not currently serviced with reticulated power. Western Power infrastructure is located over 1.5kilometres from the subject land and on private property. The estimated cost to extend the service from the closest connection is approximately \$80,000 and \$100,000 (based on a rate of \$40,000 per kilometre, plus transformer, pillar and other standard requirements). This is assuming that approval can be obtained from adjoining private landholders for the extension of services across their property (via the shortest route possible). In all likelihood the cost may be significantly higher.

The proponent is seeking WAPC's approval for the imposition of a non-standard condition in relation to the provision of power supply, which will enable provision of a solar stand alone power supply to the proposed lots.

It is contended that this particular application should be considered on its merits –

1. The cost is prohibitive when compared to ensuing land value that will result.
2. The existing supply is not easily accessible.
3. A viable and assured alternative is proposed, and the proponent is committed to a more sustainable, efficient and reliable source of power to the proposed lots.
4. With the alternative supply, continuity of supply can be assured due to climatic conditions affording maximum hours of sunshine per day.
5. The provision of a stand alone supply assist with maintaining the high amenity value of the locality, by avoiding the unnecessary extension of aerial power infrastructure over an substantial distance.
6. The provision of a solar stand alone supply meets with the over-arching planning objective of state and local government to facilitate and support sustainable development and service provision by reducing reliance on fossil fuels and maximise access to renewable and sustainable resources.
7. A more sustainable stand alone power supply will complement existing carbon sequestration activities undertaken on the landholding (landowner is registered as an offsets entity under the *Carbon Credits (Carbon Farming) Initiative Act 2011*, administered by the Office of the Clean Energy Regulator.

The proponent has demonstrated an ongoing commitment to sustainable land use and land management and has implemented numerous projects on site to achieve this. Being able to provide power by stand alone supply will complement these activities.

The variation sought to the SGP creates more conventional shaped lots, eliminates a battle axe lot configuration which was a feature of the original proposal. It better reflects current and proposed fencing of the wetland, and pays regard to the significant tree planting program undertaken on both the northern and southern sides of the wetland (under NACC agreement, and as a part of carbon farming programs) that have been implemented since the original guide plan was endorsed. No change to the endorsed building envelopes size or location is required

In conclusion, the proposal meets both the regional and local planning context for development within the precinct. This is complemented by a subdivision proposal and required guide plan variation which acknowledges the land practices implemented on site, and will not impact detrimentally on the physical environment including ground water supplies. It provides opportunity for implementation of a more sustainable and efficient energy source that assist with maintaining amenity and environmental values.

We look forward to your determination in due course.

66 Chapman Road (Opposite Railway Station) Geraldton WA 6520 | PO Box 1597 Geraldton WA 6521
Telephone (08) 9265 0550 | Fax (08) 9265 0551 | Email info@landwest.net.au
Landwest Holdings Pty Ltd | ABN 75 122 886 748

Land Appraisal | Rezoning/Scheme Amendments | Small & Large Scale Subdivisions | Strata Schemes | Development Applications | Project Management



SUBDIVISION CALCULATIONS

OFFICE SUBDIVISION AREA 48,200 m²

AREA OF THIS LOT 20,240 m²

INVESTMENT LOT RATE 33.24%

SHARE OF CHAPMAN VALLEY TYPICAL AREAS SPECIAL SIGNAL 5

SCHEMATIC 1:200000

200000 INVESTMENT LOT USE 40%

INVESTMENT LOT RATE 33.24%

- SUBJECT LAND BOUNDARY
- POWER POLE
- OVER HEAD POWER
- EXISTING OUTBUILDING (1 TO BE RETAINED)
- 50M / SPRING
- BUILDING ENVELOPE

NOTES:

- All subdivisions to record with endorsed and approved Subdivision Guide Plan (SGP), Minimum lot size 20 hectares. Variation to minimum lot size subject to MDC and local authority approval.
- Resubdivisions determined in accordance with MDC's without Management Agreement.
- This plan and all areas are subject to pre-subdivision road survey.
- This plan and all areas are subject to pre-subdivision road survey and are subject to the provisions of the Land Use Management Act 2005 as amended and the Land Use Management (Development) Regulations 2005 as amended for international purposes only.

TITLE SUBDIVISION GUIDE PLAN LOT 11 ON PLAN 21631 AHERN PLACE NABAWA		CLIENT: YJ PATON CERTIFICATE OF TITLES: 2102 / 1699 DATE LAST MODIFIED: 12/08/2009 SCALE: 1:4000 @ A3	Suite 1 & 2 Generation Central 65 Chapman Road Generation WA 6330 PO BOX 1097 Generation WA 6331 Email: info@landwest.com.au Phone: (08) 9465 0050 Fax: (08) 9465 0059	A 0308 INCLUSION OF BUILDING ENVELOPES SD 0404 08159-SGP
LANDWEST LAND SURVEYING & ENGINEERING PTY LTD		DRAWN: GMB CHECKED: DGH DATE: 08/11/2009		

AGENDA ITEM:	9.1.3
SUBJECT:	BULLER RIVERMOUTH ACCESS
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	LOTS 2, 3, 153, 155, 180, 1039, 6990 NORTH WEST COASTAL HIGHWAY, OAKAJEE
FILE REFERENCE:	204.16.15
PREVIOUS REFERENCE:	N/A
DATE:	13 FEBRUARY 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Buller Rivermouth area is currently accessible only by travelling north from Drummond Cove Road along the beach, the location is popular for off-road vehicle activity and camping and has become increasingly subject to anti-social behaviour, littering and fire risk from some users of the area.

This report recommends that Council approach LandCorp, being the landowner of the subject area, and the Geraldton Port Authority, expressing its interest in working collaboratively towards the opening of the Buller Rivermouth to general access, and the upgrading of the area for recreational day-use to better manage the current use and risks.

COMMENT

The Buller River west of the highway is under the ownership of LandCorp with the exception of the coastal reserve measuring approximately 80m back from the high tide mark that is under the management of the Geraldton Port Authority. The gravel access track that runs west off the North West Coastal Highway to the north of the Buller River, is situated upon land owned by LandCorp and is not a public road reserve. The existing access track to the Buller Rivermouth is not open for public use and is sign posted and gated accordingly.

Figure 1 – Aerial Photograph of Buller Rivermouth to North West Coastal Highway



Figure 2 – Aerial Photograph of Buller Rivermouth area



Figure 3 - Access point onto North West Coastal Highway north of Buller River



Figure 4 - Access track heading westwards viewed from midway along length



Figure 5 - Sign along access track



Figure 6 - Gate across track



There have been some previous discussion between the Shire of Chapman Valley and LandCorp regarding the formalisation of the Buller access from the Highway to the rivermouth to allow public access. It is proposed that a gravel car park would be constructed at the western end of the access, and to re-open the track down to the rivermouth area (to a 4WD standard only). Such actions, whilst increasing the accessibility of the site and pressures upon it, will also increase the potential for surveillance and thereby impact upon the mindset of some users that the location is 'out of sight, out of mind' and a suitable location for lighting of fires, dumping rubbish, vandalism and anti-social behaviour as currently occurs.

Both the Shire and LandCorp have previously supported this vision and it is reflected in a number of strategic planning documents including the Shire's Coastal Management Strategy and LandCorp's Oakajee Industrial Estate Structure Plan. The formalisation of the access to the Buller Rivermouth has not yet occurred pending the finalisation of several issues related to the planning of the Oakajee Industrial Estate including the discussions over a potential southern rail access into the port site and the possible southern extent of the port area.

It is suggested that the effective management of the current demands upon the Buller Rivermouth area now requires the Shire, LandCorp and the Geraldton Port Authority to work collaboratively on the creation of the Buller Rivermouth day-use area for access to the public (ultimately by a road reserve but potentially as a legal access as an interim measure).

The Buller Rivermouth area has been identified in a number of state and local level strategic planning documents as being developed as a coastal access node. This development is identified as a key social-offset in the event of beach access between Buller River and Coronation Beach being closed upon commencement of construction of the Oakajee Port. The development of the area will also manage the current pressures being placed upon the Buller Rivermouth through uncontrolled vehicle access, fire, litter, vandalism and public safety issues.

Irrespective of whether the Buller Rivermouth area is developed for purely day-use, or day use and camping/chalet activities, the formalisation of the existing access track leading westwards off the North West Coastal Highway is required to occur. It is expected that the access would ultimately be created as a road reserve, however, given uncertainties on the final alignment of the road to accommodate potential industrial and infrastructure developments relevant to Oakajee the most appropriate measure in the immediate term might be the establishment of a legal arrangement between the Shire and LandCorp. The agreement could determine the maintenance and liability responsibilities relevant to the access (apportioning them similar to a

road arrangement) but retain the ability to realign the access in response to wider strategic issues without involving the time consuming road reserve process.

The current pattern of public activity at the Buller Rivermouth area establishes the likely land area requirements for the creation of a Reserve for Recreation (or Reserve for Recreation and Camping) or freehold title that would accommodate the public coastal node and delineate those areas that will be restricted from public access. However, similar to the access alignment it might be preferential in the immediate term to retain any recreational node on LandCorp's overall landholding with a legal agreement assigning responsibilities between the Shire and LandCorp, and pursue a reserve at a later date when potentially impacting issues relevant to Oakajee are finalised.

STATUTORY ENVIRONMENT

The Buller Rivermouth area that is currently used for informal camping activity is located within the 'Oakajee Industrial Investigation Zone and Buffer' under Shire of Chapman Valley Town Planning Scheme No.1. Section 2.7.3.2 of the Scheme identifies the buffer as being reserved exclusively to accommodate impacts from industry located in the strategic industrial core. Section 2.7.3.3(c) of the Scheme which originates from Scheme Amendment No.18 gazetted on 29 June 2004 states:

"Notwithstanding any other provision contained within this Scheme no residential use, temporary or permanent, including a Dwelling House (Single), shall be permitted on land within the Special Control Area. Specific exception may be made to accommodate temporary camp accommodation for workers prior to the establishment of the first industry within the Strategic Industry zone."

A potential site that had been previously considered for a formalised camping area (as shown in Attachment 2) is located upon Lot 3 (owned by LandCorp) and is zoned 'Industrial Investigation Area C Coastal' by the Shire of Chapman Valley Town Planning Scheme No.1 which does not list 'Camping Area' as a use upon the relevant Zoning and Development Table. A potential site that had been previously considered for a possible chalet area (as shown in Attachment 2) is located upon Lot 10562 (owned by LandCorp) which is also within the 'Oakajee Industrial Investigation Zone and Buffer'.

The possible development of a camping and/or chalet area near the Buller Rivermouth must be considered against the statutory requirements of the existing zoning and the strategic requirements of the Oakajee Buffer. The development of a camping and/or chalet area would therefore necessitate a Scheme Amendment that would be subject to close consideration by the Environmental Protection Authority given its proposed introduction of habitable uses in vicinity of an industrial area.

Since the preparation of the Coastal Management Strategy further consideration has been given to the possible development of southern stockpiles at the Oakajee Port site that may confirm that the location of the southern boundary of the Oakajee Industrial Buffer as shown in the Scheme is correct in terms of cumulative emissions and should not be moved further northwards. Should the buffer be required to remain in its current alignment then this would necessitate review of Action CMS 2.1 from the Coastal Strategy and would result in the Buller Rivermouth being established for 'day-use' activities only and not formally developed for camping.

Irrespective of whether the Buller Rivermouth area is developed for purely day-use, or day use and camping/chalet activities, the access track would be required to be opened for public use, and the current public impact footprint upon the Buller Rivermouth largely establishes the land area requirements for a Reserve for Recreation (or Reserve for Recreation and Camping) to better manage the current pressures evident in this area.

POLICY IMPLICATIONS

The Buller Rivermouth is located within Precinct No.6 – 'Oakajee' of the Shire of Chapman Valley Local Planning Strategy (2008) with the document noting that the purpose of the Precinct boundary is to:

- (a) Provide for appropriate environmental and planning controls pertaining to the development of an industrial estate housing industries of strategic economic value to the State and Region, and which require separation from sensitive land-uses; and
- (b) Provide for a buffer surrounding the industrial estate within which land-uses incompatible with the purpose of the industrial estate are not permitted.

The Strategy does note that:

“Additionally, coastal management and access to specific recreational nodes, such as Buller River, will require serious consideration, extensive community consultation, and a co-ordinated and co-operative approach to addressing coastal issues prior to any significant development occurring within the Oakajee Industrial Estate.”

The Local Planning Strategy lists the following community objective 6.1.2 for this precinct:

“Ensure coastal management and access issues are adequately addressed, and key recreational nodes are provided and maintained in a co-ordinated and co-operative approach with key stakeholders.”

FINANCIAL IMPLICATIONS

Whilst the Shire has the capacity to accept the liability and maintenance responsibilities for the Buller Rivermouth access it is not suggested that it accept the same responsibilities for the recreation area at the Buller Rivermouth without detailed discussions and agreement having been reached with LandCorp and the Geraldton Port Authority over each parties' role and financial commitment to the management of the issues currently being generated at the Buller Rivermouth.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Coastal Management Strategy (July 2007) undertook a detailed exploration of the issues concerning the Buller Rivermouth and Section 3.3.2.1 of the Strategy states:

“The whole of the River is within the Buffer Area of Oakajee which prevents camping activities. The prohibition of beach camping from Buller River, as well as the coast to but excluding Coronation Beach, will deny the local community a popular recreational resource. It is considered critical that the Buffer Zone is reviewed, together with the Special Control Area under the Town Planning Scheme to accord with the 40dB(A) contour and thereby exclude the central and eastern portions of the immediate Buller River environs to enable development of alternative, albeit more formal camping facilities in replacement (refer Figure 2.1 – Coastal Elements).

To this end, the bank lands to the immediate north of the River, midway along its length, provide an opportunity for development of low impact camping/caravan facilities similar to those developed at Coronation Beach. The facility should be managed on the same basis as Coronation Beach and a caretaker/ranger presence provided to the broader Buller River facilities.

The Buller River mouth will remain within the 40dB(A) contour and accordingly may only be developed for day use purposes.

The design of camping and day use facilities at Buller River will need to have regard for river flood levels. No information on river flood levels is available through conventional sources and it would be desirable, as far as practical, to seek to establish some indication of flood levels through local knowledge and anecdotal evidence.

The development of formal camping and day use facilities at Buller River, together with maintenance of access to the coast north of Buller, will require provision of permanent, sealed access from North West Coastal Highway. The current alignments of the gravel road will require review and there is a need to review the

junction at the Highway to improve sight lines. Following development of alternative access to Buller River and coastal areas north, ORV use in the Buller River environs should be limited to access to the day use area, the beach and to the bay beach south of Buller River.”

The Strategy sets the following objective:

“3.3.2.3 Objective - To develop Buller River as a significant recreational node through the provision of low impact camping and day use facilities.”

The Strategy sets the following action:

“CMS 2.1 : Rationalisation of Oakajee Buffer.

CMS 2.1.1 : With the co-operation of the Oakajee Estate Manager, seek amendment of the Oakajee Special Control Area (Buffer) under Council’s Town Planning Scheme to accord with the 40dB(A) noise contour in the Buller River area.”

The section of the Shire of Chapman Valley Coastal Management Strategy relevant to the Buller Rivermouth has been included as **Attachment 1**.

The WAPC’s ‘Status of Coastal Planning in Western Australia’ document audits the key coastal issues across the state and Table 9 (Mid West) of the document recognises the Buller Rivermouth as an area under pressure for public access for day-use recreation and illegal camping. The Shire has given lengthy consideration to this issue with some priority management planning leading to dune rehabilitation works being undertaken in 2009. These rehabilitation works were undertaken by the Shire following site visits with representatives of the three claimant groups with funding assistance from the Northern Agricultural Catchment Council and the Caring for our Country Program.

The Shire and LandCorp held further discussions in 2010 to review the fencing and dune rehabilitation works undertaken at the Buller Rivermouth, the impact of anti-social behaviour and to discuss potential future requirements. A draft only concept plan for a Buller Short Stay and Day Use Area was produced by the Shire for discussion purposes only. The concept plan suggested some departures from Plan CMS2 within the Shire of Chapman Valley Coastal Management Strategy based on some on-site discussions. The plan has been included as **Attachment 2** and was prepared for preliminary discussion purposes only and is not an endorsed or actioned plan, and given its identification of overnight uses in addition to day uses should only be considered as conceptual.

The most recent planning document relevant to the Buller Rivermouth area is the Oakajee Industrial Estate Structure Plan (adopted by the WAPC on 24 April 2012). The Structure Plan identifies a ‘Proposed access to Buller River day use area and campsite (this road is currently private)’ leading to a ‘Proposed Camp Ground’ and ‘Proposed Day Access Recreation Node/Opportunity for enhancement’ at the Buller Rivermouth site. The relevant portion of the Structure Plan map has been included as **Attachment 3**.

The Structure Plan document makes the following comments in relation to the Buller Rivermouth area:

- “4.2.3 Shire of Chapman Valley Coastal Management Strategy 2007
The Shire of Chapman Valley Coastal Management Strategy makes a number of recommendations for the ‘Bombies’ and for Buller River situated within the southern margins of the OIE-SP. Recommendations include:*
- a) Four wheel drive access from Buller River mouth to the ‘Bombies’*
 - b) Day use area including car park at the Buller River mouth*
 - c) A camping area on the lower reaches of the Buller River*

In relation to access to the ‘Bombies’, this area is under the control of the Geraldton Port Authority (GPA). Access to this area is indicated in the Landscape Report at Appendix 5, but will need to be more fully addressed by the GPA.

Recommendations b) & c) are reflected in the OIE-SP. Further negotiation is required with the Department of Environment and Conservation to determine the nature of occupancy of the camping area. LandCorp will work with the Shire of Chapman Valley to address this matter.”

“11.5.5 Recreation

Consistent with the Shire of Chapman Valley Coastal Management Strategy 2007, the OIE-SP identifies a potential camp ground on the northern bank of the Buller River approximately 800 metres from the coast and a day recreational facility at the Buller River mouth. The day facility may also represent an opportunity to rehabilitate degraded areas around Buller River mouth. Details relating to the form and timing of development is subject to further negotiation with the Department of Environment and Conservation in addition to consideration by the Shire and the Geraldton Port Authority.

The Coastal Management Strategy also includes recommendations regarding access to recreational areas around the Buller Rivermouth and the coast south of the Port Area. Achieving these recommendations will be subject to discussions with the Geraldton Port Authority. The OIE-SP also identifies the existing camping facilities at Coronation Beach to the north.

Opportunities exist for vehicle and pedestrian linkages to the Moresby Range as a means to maintain / enhance public amenity and facilities in accordance with the Moresby Range Management Strategy and Moresby Range Management Plan.”

VOTING REQUIREMENTS

Simple majority of Council

STAFF RECOMMENDATION

That Council write to LandCorp and the Geraldton Port Authority expressing its interest in working collaboratively towards the opening of the Buller Rivermouth for public access, and the upgrading of the area for managed recreational day-use.

CMS 1.4.3 : Within the southern third of CMS1, declare the eastern 10m of the beach adjacent to the foredune as a Permitted Area under the Control of Vehicles (Off-road Areas) Act 1978.

CMS 1.4.4 : Install at periodic intervals, marker posts delineating the approved 4WD location and appropriate signage to encourage 4WD drivers to maintain a safe speed.

CMS 1.4.5 : Within the southern third of CMS1, close with rocks and fencing all existing 4WD access tracks eastward of the foredune.

CMS 1.4.6 : Following provision of access and parking facilities to the southern third of CMS1 consequential to Action CMS 1.2.1, declare the whole beach as a Prohibited Area under the Control of Vehicles (Off-road Areas) Act 1978.

CMS 1.4.7 : Following provision of access and parking facilities to the bay 500m south of Buller River, declare the foredune and areas eastward of the foredune as a Prohibited Areas under the Control of Vehicles (Off-road Areas) Act 1978.

CMS 1.4.8 : Following provision of access and parking facilities to the bay 500m south of Buller River, close all existing 4WD access tracks eastward of the foredune with rocks and heavy brushing to allow natural regeneration of the dunal vegetation.

» ***CMS 1.5 Effective policing.***

CMS 1.5.1 : Following declaration of Prohibited Areas and closure of tracks, engage and allocate Authorised Officers under the Control of Vehicles (Off-road Areas) Act 1978 to police Prohibited Areas and monitor vehicle speeds on the southern beach with the object of educating 4WD drivers to maintain a safe speed.

CMS 1.5.2 : The capital and recurring costs of engaging an Authorised Officer be shared between the Shires of Chapman Valley and Northampton and the Oakajee Estate Manager.

3.3.2 CMS 2 : BULLER RIVER

3.3.2.1 Overview

Sector CMS 2 – Buller River forms the primary division between the future urban area of North Drummond and the Oakajee Strategic Industrial Estate.

The Buller River mouth comprises a large, sheltered bay with broad beaches backed by light to moderately vegetated foredunes rising generally in the range of 2m to 3m (+ or -). The Buller River is for the most part relatively narrow and incised through the elevated plain adjoining. The River provides an attractive, meandering setting and is well vegetated. A small area opens out on the south side approximately 150m

Inland from the mouth forming a flat, slightly elevated "flood fringe"; the southern portions of which are within privately held land.

The foreshore area is small and largely only encompasses the river mouth. Should the opportunity arise through subdivision / development of adjacent lands, then the area should be re-assessed having regard to contemporary foreshore requirements.

The land to the south of the Buller River is privately held and has been identified, for the most part, as future Urban. The land comprising the Buller River and northwards to Coronation Beach is held by the Oakajee Estate Manager; currently LandCorp, and forms the Oakajee Strategic Industrial Estate and adjacent buffer areas. Two residences, currently rented are located to the immediate north of the River.

Buller River mouth is popular, particularly with families, for fishing and swimming, while the River itself is a popular camping location with evidence of numerous campsites. The absence of any facilities at Buller River is an emerging problem. Considerable littering is evident and the lack of any ablution facilities cannot be sustained.

Access to Buller River and coastal areas north thereof is now limited to 4WD access from Drummond Cove, part of which currently is through private land. A private gravel road providing access to the Buller River has recently been closed by LandCorp as a consequence of public liability issues.

The whole of the River is within the Buffer Area of Oakajee which prevents camping activities. The prohibition of beach camping from Buller River, as well as the coast to but excluding Coronation Beach, will deny the local community a popular recreational resource. It is considered critical that the Buffer Zone is reviewed, together with the Special Control Area under the Town Planning Scheme to accord with the 40dB(A) contour and thereby exclude the central and eastern portions of the immediate Buller River environs to enable development of alternative, albeit more formal camping facilities in replacement (refer Figure 2.1 – Coastal Elements).

To this end, the bank lands to the immediate north of the River, midway along its length, provide an opportunity for development of low impact camping / caravan facilities similar to those developed at Coronation Beach. The facility should be managed on the same basis as Coronation Beach and a caretaker / ranger presence provided to the broader Buller River facilities.

The Buller River mouth will remain within the 40dB(A) contour and accordingly may only be developed for day use purposes.

The design of camping and day use facilities at Buller River will need to have regard for river flood levels. No information on river flood levels is available through conventional sources and it would be desirable, as far as practical, to seek to establish some indication of flood levels through local knowledge and anecdotal evidence.

The development of formal camping and day use facilities at Buller River, together with maintenance of access to the coast north of Buller, will require provision of permanent, sealed access from North West Coastal Highway. The current alignments of the gravel road will require review and there is a need to review

the junction at the Highway to improve sight lines. Following development of alternative access to Buller River and coastal areas north, ORV use in the Buller River environs should be limited to access to the day use area, the beach and to the bay beach south of Buller River.

3.3.2.2 Directions

- Rationalisation of Oakajee Buffer.
- Identification and ceding of an appropriate foreshore reserve.
- Vesting and care.
- Development of low impact camping / caravan facilities.
- Development of day use facilities.
- Permanent access.
- 4WD use.
- Development funding.
- Effective policing.

3.3.2.3 Objective

To develop Buller River as a significant recreational node through the provision of low impact camping and day use facilities.

3.3.2.4 Actions & Plan CMS 2

▫ ***CMS 2.1 : Rationalisation of Oakajee Buffer.***

CMS 2.1.1 : With the co-operation of the Oakajee Estate Manager, seek amendment of the Oakajee Special Control Area (Buffer) under Council's Town Planning Scheme to accord with the 40dB(A) noise contour in the Buller River area.

▫ ***CMS 2.2 : Identification and ceding of an appropriate foreshore reserve.***

CMS 2.2.1 : Ensure identification and reservation under the Council's Town Planning Scheme of an appropriate Coastal Foreshore Reserve based on the criteria of *State Planning Policy 2.6 – Coastal Planning* westward of the private lots between Drummond Beach Road and Buller River as part of future Urban Scheme Amendment / Structure Planning processes of that area together with rationalisation of foreshore reserves within the Oakajee Estate.

CMS 2.2.2 : Ensure, in the process of identification and reservation under the Council's Town Planning Scheme of an appropriate Foreshore Reserve to the Buller River as part of future Urban Scheme

Amendment / Structure Planning processes for the land to the south of the River, that the land comprising the southern "flood" plain is included in the Buller River Foreshore Reserve.

CMS 2.2.3 : Enter into negotiations with the Oakajee Estate Manager for ceding of lands within the Oakajee Estate and reservation under the Council's Town Planning Scheme comprising the:

- d) the whole of the Buller River west of North West Coastal Highway within the current Oakajee Estate;
- e) adjacent "bank" lands to the south within the current Oakajee Estate;
- f) adjacent "bank" lands to the north to the approximate line of the gravel road, including the existing dwelling to the south of the road.

= ***CMS 2.3 : Vesting and care.***

CMS 2.3.1 : Following rationalisation of recreational lands comprising the foreshore and Buller River environs, seek Vesting of the areas with Council for Recreation and Camping.

= ***CMS 2.4 : Development of low impact camping / caravan facilities.***

CMS 2.4.1: Develop low key, low impact camping and caravan facilities similar in style to Coronation Beach along the central northern "banks" of the Buller River based on the Buller River Concept Plan 1 (Plan CMS 2.1).

CMS 2.4.2.: Install male and female toilets using low impact on-site effluent treatment systems.

CMS 2.4.3.: Install male and female showers using "Solar Bag" showers. Consider upgrading to mains showers when scheme water becomes available.

CMS 2.4.4: Prohibit camping on the beach at and north of Buller River to but excluding Coronation Beach. Prohibit camping along the Buller River and install appropriate signage.

CMS 2.4.5.: Install steps from the camping area down to the Buller River bed to enable pedestrian movement along the River bed to and from the River mouth.

= ***CMS 2.5 : Development of day use facilities.***

CMS 2.5.1: Develop low impact day use facilities at the Buller River mouth and along the immediate western portions of the Buller River based on the Buller River Concept Plan 2 (Plan CMS 2.2).

CMS 2.5.2.: Install male and female toilets using low impact on-site effluent treatment systems to the day use area.

CMS 2.5.3.: Install cold water "beach" showers adjacent to the toilet blocks when mains water becomes available.

CMS 2.5.4.: Construct a day use carpark at the western extremity of the upper plain together with steps down to the Buller River mouth.

CMS 2.5.5.: Install picnic tables, gas BBQ's and rubbish bins to the day use area.

• **CMS 2.6 : Permanent Access.**

CMS 2.6.1 : Enter into negotiations with the Oakajee Estate Manager for ceding of lands within the Oakajee Estate for the purposes of dedication and construction of a sealed, public road from North West Coastal Highway to Buller River mouth and to enable 4WD access to coastal areas north.

CMS 2.6.2.: Determine from detailed engineering design and discussion with Main Roads Western Australia, the most appropriate location for the junction of the access road with North West Coastal Highway having regard for Buller River Concept Plan 1 (Plan CMS 2.1) and adequate sight distances at the junction.

CMS 2.6.3.: Prepare construction drawings for a 7m sealed rural standard road and junction detail for approval of Main Roads WA.

CMS 2.6.4.: Construct a sealed public road to provide (2WD) access to the Buller River Caravan / Camping Facility, the river mouth Day Use Area and to enable 4WD access to beach areas north of Buller River.

• **CMS 2.7 : 4WD use.**

CMS 2.7.1.: Improve the existing track from the upper plain down to the Buller River bed to provide 4WD access to the day use area and coastal areas north.

CMS 2.7.2.: Prohibit 4WD movement along the Buller River bed eastward from the south bank "flood" plain area (refer Plan CMS 2.1).

CMS 2.7.3 : Following provision of 4WD access and parking to the day use area and northern beaches, declare the balance of the Buller River bed and the 4WD access track to the bay south of Buller River as a Prohibited Area under the Control of Vehicles (Off-road Areas) Act 1978.

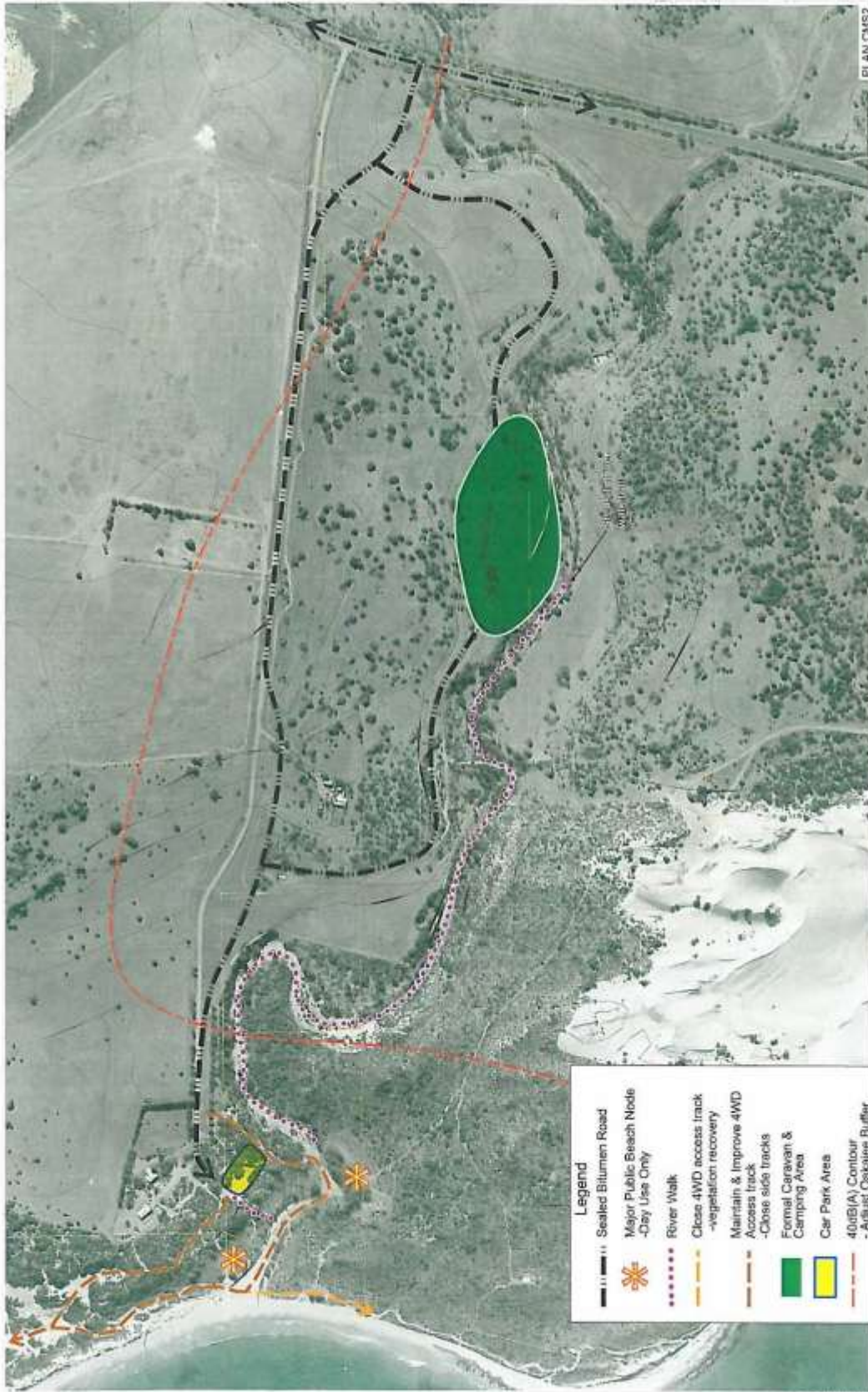
• **CMS 2.8 : Development funding.**

CMS 2.8.1.: Council enter into negotiations with the State Government and the Oakajee Estate Manager – LandCorp – for assistance in funding the development and upgrading of the Buller River environs including development of the camping / caravan facilities, development of the day use facilities and provision of permanent, sealed access to the Buller River mouth.

• **CMS 2.9 : Effective policing.**

CMS 2.9.1 : A caretaker / ranger presence be maintained at Buller River, as part of broader management of the Buller River / Coronation Beach environs.

CMS 2.9.2: The capital and recurring costs of a ranger presence at Buller River be shared between the Shire of Chapman Valley and the Oakajee Estate Manager.



BULLER RIVER CAMPING AREA CONCEPT SKETCH

CHAPMAN VALLEY CARAVAN CAMPING AREA

LEGEND

- Caravan Site
- Terrace
- Roadway
- Visitor Parking
- Pathway
- Re-vegetation



CLIENT: ALPS 11/000
 SCALE: 1:1000
 DATE: 11/12/2011
 PLAN NO: REVISION: 1.0
 DRAWN BY: [signature]

Site plan showing caravan sites (V1-V28), bus bays, and other facilities. Includes a legend, north arrow, scale bar, and project details.

PLAN CMS 2.1



18/01/13 10:58:02 1040 1040 1040

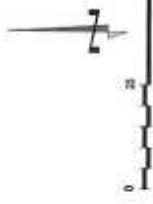


**BULLER RIVER
MOUTH CONCEPT
"DAY USE AREA"**

CHAPMAN VALLEY

LEGEND

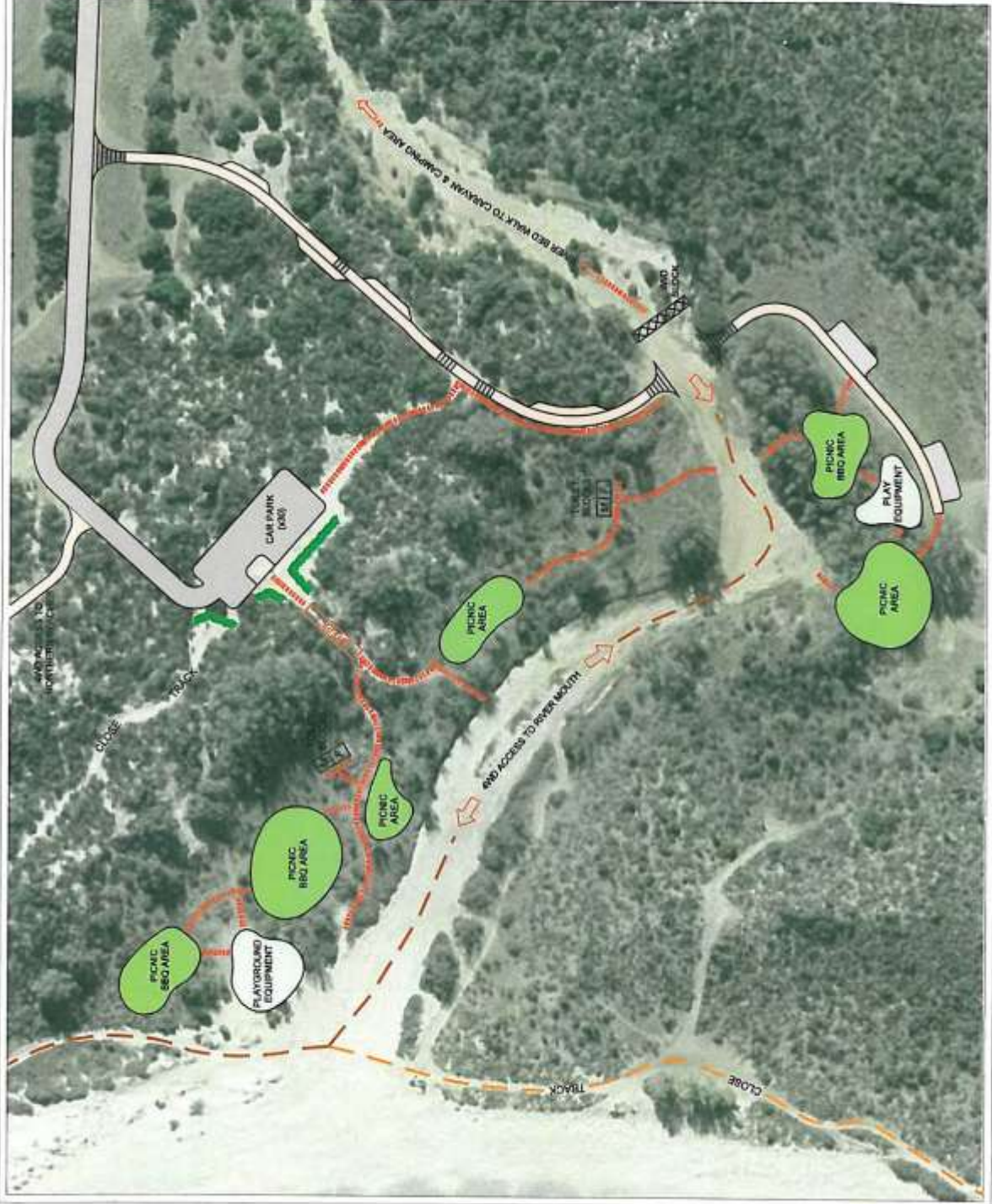
- Sealed Road
- 4WD track
- Pathways
- Re-vegetation
- Closed 4WD access track
-vegetation recovery
- Maintain & improve 4WD
access track
-Close side tracks



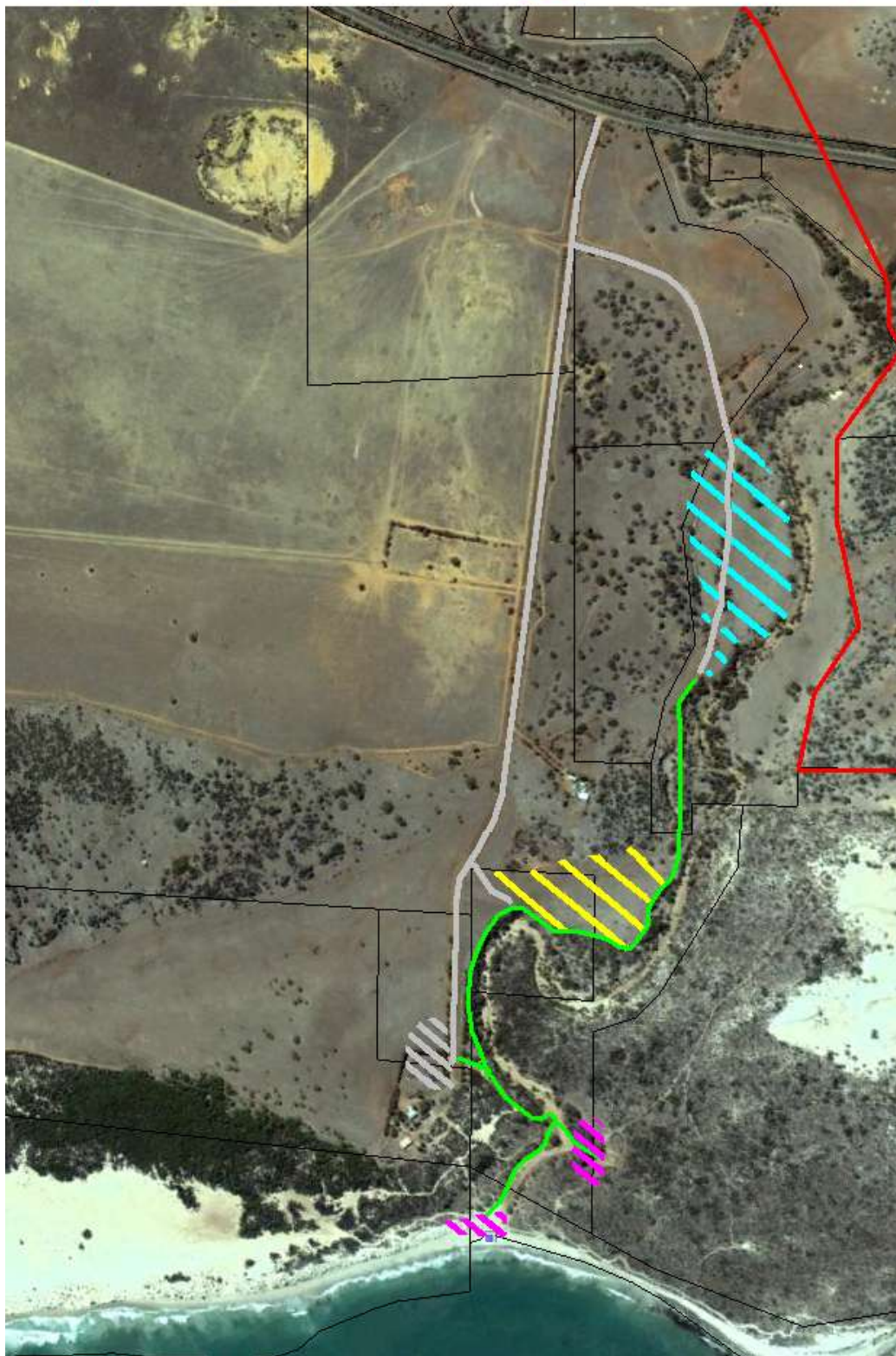
CLIENT	CHRYSLER
ASSET	1:1,000
SCALE	1:1,000
DATE	11/03/11-013
PLANNING	PLANNING
DESIGNER	DESIGNER
CLIENT	CHRYSLER
ASSET	1:1,000
SCALE	1:1,000
DATE	11/03/11-013
PLANNING	PLANNING
DESIGNER	DESIGNER

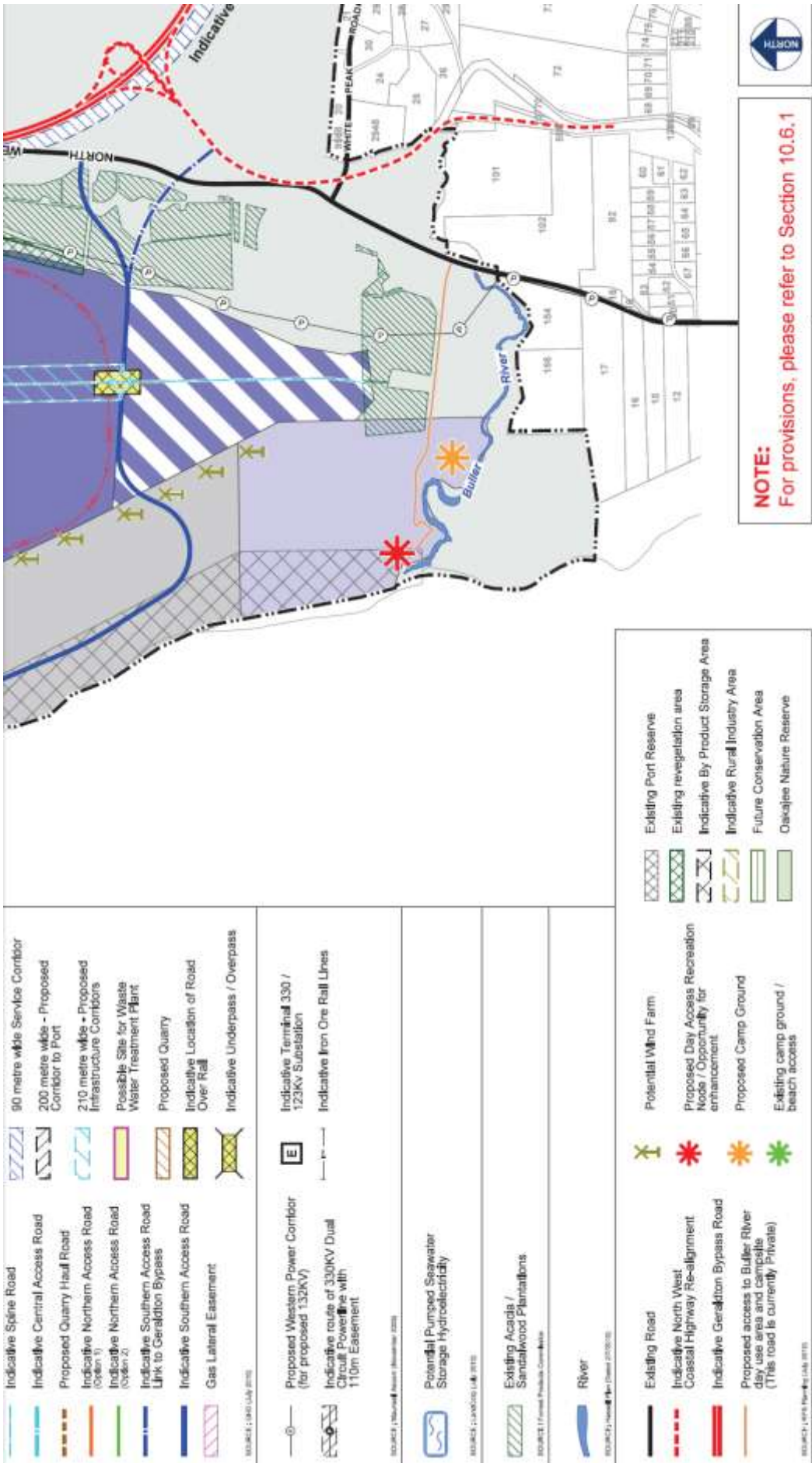
Base data: aerial photo
Aerial photography dated January 2008, accuracy +/- 1m
Project location:
Areas and dimensions shown are subject to field survey
conditions. All components are shown for illustrative
purposes only and are subject to detailed engineering design.
This concept plan is the property of KOLTASZ SMITH & PARTNERS
© KOLTASZ SMITH & PARTNERS. All rights reserved. No part may be
reproduced without the written permission of KOLTASZ SMITH & PARTNERS.

PLAN CMS 2.2



- existing Oakajee Industrial Estate Buffer
- proposed chalet area (reticulated water and underground power required)
- proposed camping area (reticulated water and underground power required)
- day use area
- car parking area
- sealed road
- walking trail





- Indicative Spine Road
- Indicative Central Access Road
- Proposed Quarry Haul Road
- Indicative Northern Access Road (Option 1)
- Indicative Northern Access Road (Option 2)
- Indicative Southern Access Road
- Link to Geraldton Bypass
- Indicative Southern Access Road
- Gas Lateral Easement
- 90 metre wide Service Corridor
- 200 metre wide - Proposed Corridor to Port
- 210 metre wide - Proposed Infrastructure Corridors
- Possible Site for Waste Water Treatment Plant
- Proposed Quarry
- Indicative Location of Road Over Rail
- Indicative Underpass / Overpass

- Proposed Western Power Corridor (for proposed 132KV)
- Indicative Terminal 330 / 123KV Substation
- Indicative route of 330KV Dual Circuit Powerline with 110m Easement
- Indicative Iron Ore Rail Lines

- Potential Pumped Seawater Storage Hydroelectricity
- Existing Acacia / Samalwood Plantations
- River

- Existing Road
- Indicative North West Coastal Highway Re-alignment
- Indicative Geraldton Bypass Road
- Proposed access to Buller River day use area and campsite (This road is currently Private)
- Potential Wind Farm
- Proposed Day Access Recreation Node / Opportunity for enhancement
- Proposed Camp Ground
- Existing camp ground / beach access
- Existing Port Reserve
- Existing revegetation area
- Indicative By Product Storage Area
- Indicative Rural Industry Area
- Future Conservation Area
- Oakajee Nature Reserve

NOTE:
For provisions, please refer to Section 10.6.1



AGENDA ITEM:	9.1.4
SUBJECT:	DEVELOPMENT ASSESSMENT PANELS
PROPONENT:	DEPARTMENT OF PLANNING
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	204.02.10
PREVIOUS REFERENCE:	4/11-2, 6/11-6 & 10/11-11
DATE:	18 JANUARY 2013
AUTHOR:	MR SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Department of Planning have written to Local Governments seeking nominations for 2 Development Assessment Panel ('DAP') members and 2 alternate members. Council can re-nominate the same Councillors currently serving as DAP members or it may wish to forward new nominations.

COMMENT

On 24 March 2011 the *Planning and Development (Development Assessment Panels) Regulations 2011* ('the Regulations') commenced operation leading to the creation of 15 DAP's across the state.

The Mid West DAP (representing Carnamah, Chapman Valley, Coorow, Cue, Greater Geraldton, Irwin, Meekatharra, Mingenew, Morawa, Mount Magnet, Murchison, Northampton, Perenjori, Sandstone, Three Springs, Wiluna and Yalgoo) consists of 5 members:

- Chairperson (a specialist member);
- 2 specialist members;
- 2 local government representatives from the relevant Local Government;
- 1 specialist member proxy*;
- 1 local government proxy from each local government*.

(* the proxies will only be used when there is failure to reach a quorum)

Council resolved at its 20 April 2011, 22 June 2011 and 15 October 2011 meetings to submit to the Minister of Planning the following Local Government nominations to serve upon a Development Assessment Panel:

Councillor John Collingwood	(member);
Councillor Pauline Forrester	(member);
Councillor Bev Davidson	(alternate member/proxy);
Councillor Anthony Farrell	(alternate member/proxy).

The current appointments expire on 26 April 2013 and the Department of Planning have written to Local Governments seeking nominations for 2 DAP members and 2 alternate members. A copy of the Department of Planning's correspondence has been included as **Attachment 1** to this report.

Local Governments have until 28 March 2013 to submit to the Minister for Planning their nominations and in the event that a Local Government does not provide the requisite nomination by the deadline the Minister is empowered to nominate replacements from eligible voters in the district to which the DAP is established.

The period of appointment for all DAP members under the Regulations is 2 years (expiring on 26 April 2015) and after the 2 year term has come to an end, the Minister will again ask the relevant Local Government to provide 4 nominations.

The Regulations prevent a DAP member from attending DAP meeting without first completing mandatory training and it is understood that all nominated Chapman Valley Councillors have attended this training. In the event that Council wishes to forward new nominations as DAP members they will be required to attend the DAP training (dates and times to be advised).

It is proposed that DAPs would operate as follows:

- meetings will be conducted in a place open to the public;
- a person who has made a submission during the advertising period will be permitted to make a presentation to the DAP;
- in some circumstances, the public may be excluded from a meeting where the application contains commercial information of a confidential nature or information about the personal affairs of a person;
- Code of Conduct will be in place for DAP Members to adhere to;
- a record of meetings and voting outcomes by individual DAP members will be kept and made available to the public via websites;
- annual report will be required by the Department for Planning;
- professional staff from the relevant Local Government will prepare a report and recommendation on the development application for the DAP's consideration in making its determination;
- the planning officer will be required to attend the DAP to present the application and provide clarity on the assessment report;
- secretariat support for the DAP will be provided by the relevant Local Governments on a six monthly rotational basis;
- these duties will include preparing agendas, advertising meetings, organising meetings, taking minutes and publicising meeting outcomes;
- the Chairperson's sessional sitting fee will be higher than the other members to reflect the responsibilities of this role;
- a quorum for the DAP's is proposed to be 3 members which will be comprised of at least the chair, 1 Local Government member and 1 independent specialist member; &
- meeting frequency is proposed to be determined by the individual DAP, meeting frequency will be based on the number of applications submitted for consideration.

STATUTORY ENVIRONMENT

DAP members will be bound by similar requirements regarding their conduct as Local Government Councillors, for example:

- all DAP members will be required to declare any direct or indirect pecuniary interest in a matter, before the meeting on that application commences;
- DAP members will not be permitted to disclose or make improper use of information that they acquire during their time as a member;
- DAP members will be prevented from accepting "prohibited" gifts in all circumstances, and will be permitted to accept other types of gifts ("notifiable" gifts) as long as they notify the Department of Planning;
- Members will be required to comply with the DAP Code of Conduct developed by the Department of Planning; and
- No DAP member will be permitted to make a statement regarding the competence or honesty of a Local Government employee or public sector employee.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The financial threshold for activating a DAP is when the estimated cost of development is \$7 million or more (except for the City of Perth where it is \$15million). Applicants have the option of requesting that a DAP assess the application where the total development value is between \$3million and \$7million (between \$10million and \$15million in the City of Perth). Local Governments have the option of delegating applications for developments of any value to a DAP for determination if they so choose.

All DAP members, except those not entitled to receive sitting fees, will be paid sitting fees on a sessional basis. The presiding member will be paid \$500 per session, and all other members will be paid \$400 per session (and travel allowances). Schedule 2 of the Regulations that outlines the Fees for DAP members was previously provided to Councillors with the 15 October 2011 Agenda, and a complete copy of the Regulations can be provided to any interested Councillor upon request.

The Regulations provide that travelling costs that DAP members incur when attending meetings are to be paid to all DAP members, including accommodation and airfares. These costs are to be paid as set out in the current Public Sector Commissioner's Circular on this matter (*2009/20 Reimbursement of Travel Expenses for Members of Government Boards and Committees*). For the avoidance of doubt, all DAP members, including those not entitled to be paid sitting fees, will be entitled for reimbursement for these out-of-pocket expenses.

STRATEGIC IMPLICATIONS

It is alleged by the State Government that DAP's will provide the following:

“Development assessment panels are a mix of independent experts and elected representatives, created to be the decision making body for development applications. These panels will have the power to determine applications for development approval, instead of the relevant decision making authority, for development of a certain class and value. The objectives of the proposed development assessment panel model are to:

- *streamline the determination process for particular types of development applications, by eliminating the requirement for dual approval under both the local and region schemes;*
- *involve independent technical experts in the determination process;*
- *encourage an appropriate balance between independent professional advice and local representation in decision-making for significant projects; and*
- *reduce the number of complex development applications being determined by local governments, to allow local governments to focus their resources on strategic planning.”*

The Regulations were formulated with the assistance of a working group comprising representatives from WALGA, the Property Council and the Planning Institute of Western Australia. The introduction of DAPs was opposed by the Shire of Chapman Valley and many other Local Governments as it is considered that they could:

- slow the planning system in Western Australia;
- be less democratic than the current Local Government process;
- be more open to corruption than the current Local Government system;
- lead to expensive and unworkable outcomes;
- not lead to better informed decision making;
- add financial burden to Local Governments;
- lead to increased fees and charges for landowners and developers;
- make the response to appeal process unworkable;
- disadvantage the regions; and
- reduce local input and representation.

The performance of DAP's is an issue that the Shire of Chapman Valley should monitor and take issue through WALGA with if dissatisfied.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council submit to the Minister of Planning the following Local Government nominations to serve upon a Development Assessment Panel:

Councillor _____ (member); and
Councillor _____ (member).

Councillor _____ (alternate member/proxy); and
Councillor _____ (alternate member/proxy).



204 02-10
Record No A013487

Our Ref: DP/12/00609
Enquiries: Karen Newman
Telephone: 6551 9604

Mr Stuart Billingham
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Mr Billingham

DEVELOPMENT ASSESSMENT PANELS: LOCAL GOVERNMENT NOMINATIONS

You would be aware that on 1 July 2011 fifteen Development Assessment Panels (DAP) came into operation in order to determine development applications that meet a certain threshold value. Each DAP comprises five members: three specialist members, one of which is the presiding member, and two local government members.

Appointments of all local government DAP members expire on 26 April, 2013. Members whose term has expired will be eligible for re-consideration at this time.

An Expression of Interest for Development Assessment Panel specialist members was advertised in the West Australian on 8 and 12 December, 2012 and in regional newspapers in the week commencing 10 December, 2012. Nominations for specialist members will close on Friday, 25 January, 2013.

Under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, your local council is requested to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on your local DAP as required.

Using the attached form, please provide names, address, email, mobile and land line telephone numbers, date of birth, employer(s), position(s) and include curriculum vitae details of your four local government DAP nominees.

Nominations are required to be received no later than Friday 15 February, 2013.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2015. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

140 William Street, Perth, Western Australia 6000
Tel: (08) 6551 9000 Fax: (08) 6551 9001 <http://daps.planning.wa.gov.au/>
ABN 79 051 750 68

Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council should consider the above matters in selecting nominees as local DAP members.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with *Premier's circular – State Government Boards and Committees Circular (2010/02)*.

Further information, including DAP location maps and the Premier's Circular, is available online at <http://daps.planning.wa.gov.au>.

Local representation is vital to DAPs. If no nominations are received by 28 March, 2013, or if I have not allowed the local government a longer nomination period, regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, enables me to include on the local government register a person who is an eligible voter of your local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community of your district.

An Expression of Interest for specialist members was advertised in December 2012, with applications closing on 25 January, 2013. You will be advised of the new specialist members once they have been appointed by the Minister.

If you have any queries regarding this request for nominations, please contact Karen Newman at the DAPs secretariat – phone 6551 9604 or email Karen.newman@planning.wa.gov.au.

Yours sincerely



Eric Lumsden PSM
Director General

DEVELOPMENT ASSESSMENT PANEL NOMINATION FORM

Local Government:	DAP Name:
Nominated Local DAP Member 1	Nominated Alternate Local Member 1
Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):
Nominated Local DAP Member 2	Nominated Alternate Local Member 2
Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):

Note: Employer name and position details are required for Cabinet submission and to determine if the nominee is entitled to be paid fees in accordance with the Premiers Circular 2010/02.

Name and contact details of local government minute taker and/or DAP meeting contact (if known):

Name: _____ Phone: _____ Email: _____

DAP Secretariat Use

Date received: _____ Officer Name: _____ Date Registered: _____

AGENDA ITEM:	9.1.5
SUBJECT:	PROPOSED SUBDIVISION – NABAWA
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	LOT 9500 GREEN DRIVE, NABAWA
FILE REFERENCE:	A1662
PREVIOUS REFERENCE:	05/08-13
DATE:	8 FEBRUARY 2013
AUTHOR:	KATHRYN JACKSON

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

LandCorp are inviting applications for the Regional Development Assistance Program. It is recommended that the Shire of Chapman Valley make an application under this program for the development of residential lots at the eastern end of the Nabawa townsite.

COMMENT

Lot 9500 Green Drive, Nabawa is a freehold title owned by the Shire of Chapman Valley located at the eastern end of the Nabawa townsite. This 5.7567ha lot has the ability to create a further 36 residential lots which would assist growth and future demand for affordable residential lots within the Nabawa townsite.

Figure 1 – Location Plan for Lot 9500 Green Drive, Nabawa



On 31 July 2007 the Shire of Chapman Valley was issued a subdivision approval from the Western Australian Planning Commission ('WAPC') for the subdivision of Lot 9500 (former lot 30) Green Drive, Nabawa. This approval expired on 31 July 2011 and since this time Shire staff have applied to the WAPC for a further subdivision approval to be issued based upon the same subdivision guide plan. On 9 August 2012 the WAPC issued approval to the Shire of Chapman Valley for the subdivision of Lot 9500. A copy of this approval and subdivision plan has been provided to Councillors as a separate document.

The Regional Development Assistance Program seeks to enable development of land where the project may not necessarily be economically viable and cost prohibitive but will benefit or stimulate growth in a regional area. LandCorp promotes the program as being:

"...available for projects in towns where there are either limited or no active private developers and as a result real land supply needs are not currently

being met. LandCorp or other State or Local Government agencies develop land to support regional communities where there is a community benefit even though, due to high servicing costs or low market prices, the development may not be attractive to the private sector. Residential, commercial, tourism and light industrial developments are all eligible for RDAP funding.”

Initial discussions between Shire staff and LandCorp indicate that the subdivision of residential zoned lots upon Shire owned land in Nabawa would qualify for consideration under the Regional Development Assistance Program. If an application under this program was successful this would result in LandCorp meeting the subdivisional costs e.g. road construction, power, water, surveying, settlement, fencing etc (the Shire would have some ability to provide in-kind assistance where it possessed the necessary experience and equipment).

A copy of the draft Shire of Chapman Valley Regional Development Assistance Program application and the LandCorp Information Guide has been provided to Councillors as a separate document.

The Regional Development Assistance Program is open to applicants until 30 March 2012 and should Council be supportive of this application then Shire staff would lodge the application immediately.

The LandCorp Board will make its decision on applications in-line with the State Budget cycle.

STATUTORY ENVIRONMENT

Lot 9500 Green Drive, Nabawa is zoned 'Residential R10' under Shire of Chapman Valley Town Planning Scheme No.1. The R10 zoning requires a 1000m² minimum average lot size across the subdivision and a minimum lot size of 875m².

Figure 2 – Extract from Shire of Chapman Valley Town Planning Scheme No.1 Map



POLICY IMPLICATIONS

Council resolved at its 17 February 2010 meeting that all grant funding applications are required to be presented to a meeting of Council prior to lodgement. Should Council resolve to support this application, and this application be successful, a further report would be presented to Council once a grant agreement has been received.

FINANCIAL IMPLICATIONS

Should the Shire's application under the Regional Development Assistance Program be approved then LandCorp would accept the costs involved in the development of the Shire's landholding, including:

- creation of sealed roads access (extension of Green Drive and creation of new subdivisional roads);
- siteworks costs (such as clearing of land and levelling where required);
- provision of power to each lot (this will be a requirement of Western Power at the subdivision stage);
- provision of reticulated water to each lot and headworks charges (this will be a requirement of the Water Corporation at the subdivision stage);
- land surveying costs;
- marketing costs; and
- conveyancing and settlement costs.

LandCorp would generally ensure fair market value when determining the pricing of land based on advice from Landgate's valuation services and independent valuer's, this valuation may not necessarily reflect or recoup the true cost of the development of the land.

It is proposed that the Shire would cede, at no cost to LandCorp, Lot 9500 and that it would provide in-kind assistance where it possessed the necessary experience and skills (i.e. road grading, clearing etc). It is also proposed that the Shire would make arrangement to buy back 2 lots at an estimated cost of \$40,000 each. This amount is given as a guide only for the purposes of budget allocation for the 2013/2014 (or 2014/2015) financial year and once a confirmed price is known a further report will be presented to Council for consideration.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Local Planning Strategy (2008) identifies Lot 9500 within the 'Precinct 9 – Nabawa'. The Strategy lists the following economic objectives for this precinct:

- 9.2.1 Accommodate urban growth with a focus on larger lots for affordable rural lifestyle opportunities.*
- 9.2.2 Promote commercial, light industrial and tourist related uses/development to support economic growth.*
- 9.2.3 Ensure urban and rural residential development can proceed through the provision of appropriate services and infrastructure."*

Should Council consider that it may wish to make available further residential lots in the Nabawa townsite, either for general sale, or to allow for an upgrading of its Shire housing stock (potentially linked to sale of some of its existing housing stock) within the next 4 years then it would be appropriate at this juncture to lodge a funding application to assist the Shire in achieving this outcome.

VOTING REQUIREMENTS

Simple Majority of Council.

STAFF RECOMMENDATION

That Council apply to LandCorp for it to undertake the subdivision of Lot 9500 Green Drive, Nabawa on its behalf under the Regional Development Assistance Program.

AGENDA ITEM:	9.1.6
SUBJECT:	PROPOSED FIRE FIGHTING SHED – HOWATHARRA
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	RESERVE 23405 NANSON-HOWATHARRA ROAD, HOWATHARRA
FILE REFERENCE:	R23405
PREVIOUS REFERENCE:	NIL
DATE:	12 FEBRUARY 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire has lodged an application through the Emergency Services Levy seeking funding to establish a volunteer fire fighting shed at Howatharra to house existing fire fighting vehicles, provide a meeting/training place and allow for future expanded operations.

This report recommends that Council write to the Department of Regional Development and Lands ('DRDL') seeking the amendment to the management purpose for Reserve 23405 from 'Recreation' to 'Recreation and Emergency Services'.

COMMENT

Reserve 23405 is a 1.4401ha property located on the north side of the Nanson-Howatharra Road and is undeveloped, being occasionally used for storage of blue metal and other materials and equipment associated with roadworks.

Reserve 23405 has the management purpose (previously known as a vesting order) of 'Recreation', however, the site has not been used for this purpose since the closing of the Howatharra School on the immediately adjacent Reserve 23404 to the west in 1949, and the Northampton rail line being removed from the rail reserve immediately to the east of Reserve 23405 in 1957.

Figure 1 – Map illustrating Reserve 23405 Nanson-Howatharra Road, Howatharra

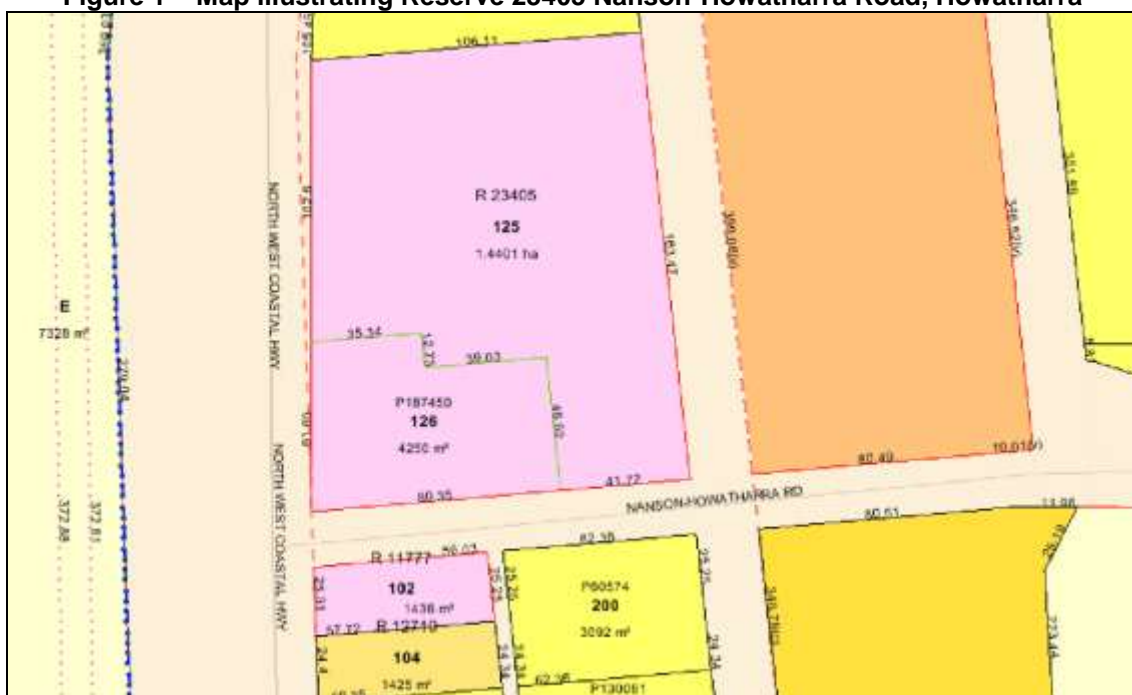


Figure 2 – Aerial Photograph of Reserve 23405 Nanson-Howatharra Road, Howatharra



It is considered that the Howatharra district will experience increased demand for fire fighting appliances in the future, with the volunteer fire brigade servicing the three key developing areas of Coronation Beach and Oakajee area to the west, the rural lifestyle area of Howatharra to the east, and the rural residential area of White Peak to the south. The establishment of a fire fighting facility in this area will serve the benefit of securely housing existing fire fighting equipment and having the ability to accommodate further equipment as it becomes available. The shed would also serve as a focal point whereby members of the volunteer fire fighting brigade can meet and undertake training as well as being a visible identity in attracting new members by providing a location for displaying public messages relating to the operations of the brigade.

The proposed location of the fire fighting shed near the intersection of the North West Coastal Highway and the Nanson-Howatharra Road provides a central point from which vehicles travel in all directions on the road network. The proposed siting of the fire fighting shed in the south-eastern corner of Reserve 23405 is close to the electricity supply and the location for the access point onto the road would be sufficiently setback from the intersection.

Figure 3 – View of Reserve 23405 looking north from Nanson-Howatharra Road



A plan illustrating the proposed layout for the Howatharra Fire Station has been included as **Attachment 1** for Councillor's consideration.

Information relating to the type of fire fighting vehicle that the proposed shed has been designed to accommodate has been included as **Attachment 2** for Councillor's consideration.

In the event that Council consider that Reserve 23405 is unsuitable for the location of the Howatharra Fire Station it might prefer Reserve 23404 immediately to the west, this being a 4,250m² lot that previously housed the Howatharra School and has the assigned management purpose of 'Civic Purpose' which should be considered to accommodate a building of this nature.

Lot 114, further south in the Howatharra townsite, that presently contains the soon-to-be-removed roadside sign, has not been suggested as a suitable location for the fire fighting facility as it directly fronts the North West Coastal Highway and is 1,593m² in area which is not considered to allow sufficient area for the shed and vehicle manoeuvring room.

STATUTORY ENVIRONMENT

Shire of Chapman Valley Town Planning Scheme No.1 identifies Reserve 23405 as zoned 'Recreation', should Council consider it appropriate to establish a Fire Fighting facility upon the south-eastern corner of Reserve 23405 a minor zoning amendment relevant to the necessary 'footprint' could be incorporated into the Shire's submission to draft Scheme No.2 that would be presented to the Minister for Planning.

Shire of Chapman Valley Town Planning Scheme No.1 identifies Reserve 23404 as zoned 'Community', draft Scheme No.2 identifies the site as 'Public Purposes-Civic'. Should Council consider it appropriate to establish a Fire Fighting facility upon Reserve 23404 a minor zoning amendment from 'Public Purposes-Civic' to 'Public Purposes-Fire Fighting' could be incorporated into the Shire's submission to draft Scheme No.2 that would be presented to the Minister for Planning.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Shire has applied for the establishment of the Howatharra Fire Station through the Emergency Services Levy, whilst the application has the support of the Mid West office of the Department of Fire and Emergency Services it remains uncertain whether the application will be successful in this funding round.

In the event that this, or a future, application were successful through the Emergency Services Levy the Shire would be able to provide some in-kind assistance including site preparation and project management.

STRATEGIC IMPLICATIONS

Section 5.4.1 of the Shire of Chapman Valley Local Planning Strategy (2008) lists the following infrastructure objective:

"Enhance the standards of servicing and infrastructure in and around the Howatharra townsite."

Section 5.3.5 of the Strategy lists the following environmental objective for the Howatharra Precinct:

"Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum."

VOTING REQUIREMENTS

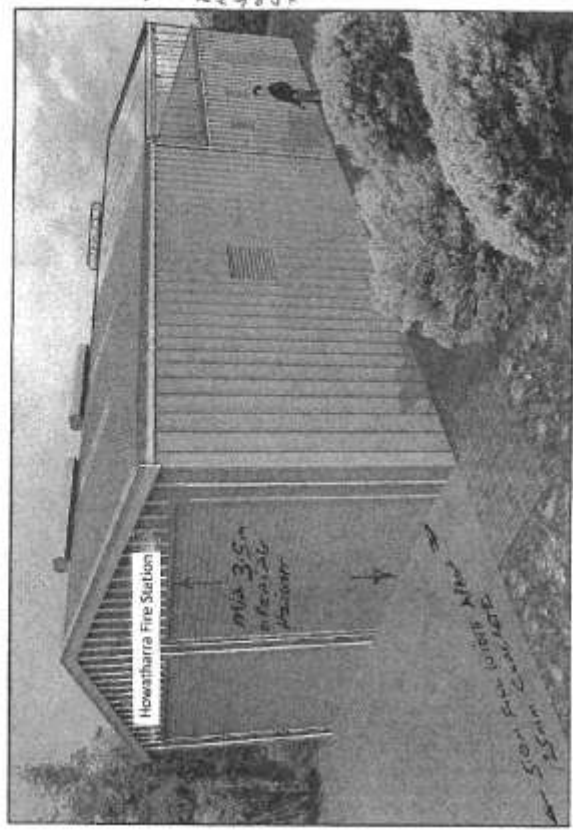
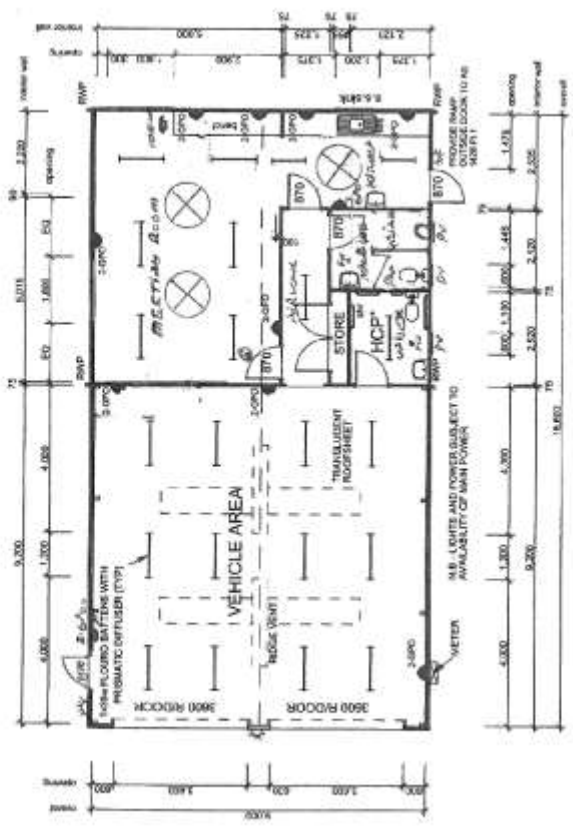
Simple majority required.

STAFF RECOMMENDATION

That Council write to the Department of Regional Development and Lands seeking the amendment of the management purpose for Reserve 23405 Nanson-Howatharra Road, Howatharra to the Shire of Chapman Valley for the purpose of 'Recreation and Emergency Services'.



Proposed DFES Fire Truck Station
 Location: No 23405, corner N.W.C. Rd + Howaterra Rd - Howaterra



PLAN	INDICATIVE METAL CLAD OPTION	BUSH FIRE BRIGADE - 2 BAY
<p>SPEC:</p> <ul style="list-style-type: none"> • Conclude L&O Public Fabricator (PFB) to Commercially Struck Metal • B&B Attached Fabricator-Frame Option • 1/ Insulated Double Access (i.e. Shower + Tiled Floor + Shower Area) • 3 Ceiling Fans • 2/ PA Doors (1/2) Howaterra Core (Lower Handover + Core Office) • 1/ Male (i.e. Physiotherapy) Floor + Ramps • 1/ Hand Wiped Vehicle Wash, (sealant) @ PA (door) + Howaterra • 2/ 3.5m x 5.0m High Manual Roller Doors X 2 • 1/ 9.0m x 5.0m Core (1.5m Thick) Office • Core. And 1/ Vehicle Wash (1.5m Thick, 1.0m x 2.0m) + Ramps • And Security Screens over Extra Window • B&B (BUSH BRIGADE) 	<p>• ALL EXTERNAL WALLS FROM STREET FRONT TO ALL WINDOWS TO BE OFFICE WALL TYPICAL, NOT METAL WALL TYPICAL</p> <p>• ALL CEILING TO BE OFFICE CEILING TYPICAL, NOT METAL CEILING</p> <p>• ALL WALLS TO BE 200mm CONCRETE TYPICAL</p> <p>• ALL CEILING TO BE 2.4m TYPICAL</p> <p>• ALL EXTERNAL WALLS TO HAVE TYPICAL BRICK</p> <p>• ALL PA DOORS TO BE 9.0m x 5.0m</p> <p>• ALL PA DOORS TO BE 200mm CONCRETE TYPICAL</p> <p>• ALL DOORS TO HAVE 1.5m x 0.75m GLASS GLAZING</p> <p>• SERVICE TO BE 1/500 OFF-PAD</p> <p>• TRUCK, 1/9m CLEARANCE</p> <p>• ALL CEILING TO BE 2.4m TYPICAL</p> <p>• CLAVIT BOARD</p> <p>• ALL ROOF TRUSS TO BE 1.5m TYPICAL</p> <p>• ALL ROOF TRUSS TO BE 1.5m TYPICAL</p> <p>• ALL ROOF TRUSS TO BE 1.5m TYPICAL</p>	<p>• CONCRETE TO GUSTAFSON FOUNDATION</p> <p>• FINISH TO BE 1/500 OFF-PAD</p> <p>• PROVIDE FIRE CLASSIFICATION</p> <p>• SHIRE OF CHAPMAN VALLEY TO PROVIDE HEAVY MACHINERY - OPERATED BY RESERVE GUARD TO JUNE 2013, ETC.</p> <p>BUSH FIRE STATION WITH MODERATE AMENITIES CAPACITY FOR - 2 TANKERS SUITABLE FOR TOWN BRIGADE WITH UP TO 15 ACTIVE MEMBERS</p>
<p>DEPARTMENT OF FIRE & EMERGENCY SERVICES STANDARD COMMUNITY FACILITY</p>		<p>DFES</p> <p>BUSH FIRE BRIGADE - 2 BAY</p>

ESL BFS OPERATIONAL VEHICLES

Appliance Name	Broad Acre Tanker
Hazard Response	Wildfire Response
Vehicle Classification	Category 6
Purpose	Applicable to rural, pastoral, agricultural areas with occasional wildfire incidents. Simple to operate appliance.
Model	Normally Isuzu FSS 550 or Hino 5Z 4x4 Cab Chassis 10,000 Kg GVM
Drive Capability	4WD
Cab/Crew	Single Cab only x 3 crew
Water Capacity	2,700 litres
Pump Type	Hatz Gaam
Pump Capacity	Approximately 900 litres per minute
Pump Panel	Rural modified, nearside location
Hose Reels	1 x 25mm (50m) electric rewind 1 x 19mm (30m) manual rewind
Monitors	1 monitor, two positions (near and off side)
Hose	2 x 38mm x 30m
Stowage Type	Basic Rural
General	Wildfire response only. Replaces 'slip on' tankers.
Vehicle/Body colour	Provided to Bush Fire Brigades in white



AGENDA ITEM:	9.1.7
SUBJECT:	LIME KILNS AND STONE RUIN, OAKAJEE
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	LOT 5663 NORTH WEST COASTAL HIGHWAY, OAKAJEE
FILE REFERENCE:	806.00 & A1525
PREVIOUS REFERENCE:	10/12-12
DATE:	6 FEBRUARY 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire is in receipt of further correspondence from the State Heritage Office concerning its proposal to enter the Lime Kilns and Stone Ruins upon the State Register of Heritage Places.

COMMENT

The State Heritage Office wrote to the Shire on 10 October 2012 advising that it considered that the Lime Kilns and Stone Ruins upon Lot 5663 North West Coastal Highway, Oakajee were of cultural heritage significance and that they should be entered upon the State Register of Heritage Places. The State Heritage Office correspondence invited written comment upon the proposed listing by 19 November 2012.

A copy of the State Heritage Office's correspondence was provided to Council which resolved at its 17 October 2012 meeting:

"That Council advise the State Heritage Office that it does not support the proposed registration of the Howatharra Lime Kilns and Stone Ruin, Oakajee upon the State Register of Heritage Places as this level of recognition is contrary to the Shire of Chapman Valley Municipal Inventory Heritage Places management recommendation and the places are not considered to be of sufficient historic significance."

The Shire advised the State Heritage Office of this resolution further noting that the sites are not associated with a significant event, do not contribute in any major way to the development of the region, have not been associated with a notable person of the region, and are not good (or rare) examples of a type of structure that is important in gaining an understanding of the area's history. The Shire correspondence also noted that the sites are not significant, nor substantial and are difficult to access and are resultantly not held as integral to the history, social fabric or built form of the region. The Shire correspondence further advised that it considered that their inclusion upon the State Register would be detrimental to the integrity of the Register as it would cast doubt on the merits of other entries given their low level of significance.

LandCorp, being the owner of the sites also lodged objection to the proposed listing of the Lime Kilns and Stone Ruins upon the State Register of Heritage Places in correspondence to the State Heritage Office dated 15 November 2012. LandCorp's objection considered that the sites' level of significance was more commensurate with local rather than state recognition.

The State Heritage Office wrote to the Shire on 11 January 2013 advising that the sites were considered to have 'scientific value' or 'research potential' in a wider context and this was the basis for their consideration as being of state significance. The correspondence also advised that a representative from the State Heritage Office would be available to meet with representatives from the Shire in early March 2013 to provide further clarification. A copy of the State Heritage Office correspondence has been included as **Attachment 1** with this report for Council's information.

A representative of the State Heritage Office has subsequently contacted the Shire to advise that they will be visiting the region on Friday 8 March 2013 and is available to meet with Councillors in the afternoon to make a presentation regarding the proposed entry of the Lime

Kilns and Stone Ruins onto the State Register. It is suggested that Councillors may wish to meet with the State Heritage Office representative to discuss this matter further, however, given the level of justification provided Council may also consider the following alternative motion wording appropriate:

“That Council:

- 1 Receive the correspondence from the State Heritage Office dated 11 January 2013 and advise that the Shire maintains its objection to the proposed registration of the Howatharra Lime Kilns and Stone Ruin, Oakajee upon Lot 5663 North West Coastal Highway, Oakajee upon the State Register of Heritage Places as this level of recognition is contrary to the Shire of Chapman Valley Municipal Inventory Heritage Places management recommendation and the places are not considered to be of sufficient significance.*
- 2 Request that the State Heritage Office consult further with the Shire of Chapman Valley and LandCorp prior to any determination in relation to this matter.”*

Shire staff after having reviewed the further information as contained within the State Heritage Office's correspondence would still not recommend that the Lime Kilns and Stone Ruins be included upon the State Register of Heritage Places. Based upon the information received from the State Heritage Office it would not appear that there is sufficient justification for inclusion of the Stone Ruin (Chinaman's House) on the State Register based on scientific value, and it is considered that the level of significance attributed to the Lime Kilns in the Municipal Inventory is already an appropriate level of recognition and management.

The Municipal Inventory does not recognise either the Lime Kiln or Stone Ruin sites upon Lot 5663 North West Coastal Highway, Oakajee as being of sufficient merit to be listed upon the State Register. A copy of the entries for the Lime Kiln and Stone Ruins as contained within the Shire of Chapman Valley Municipal Inventory of Heritage Places has been included as **Attachment 2**.

STATUTORY ENVIRONMENT

The Shire of Chapman Valley Municipal Inventory of Heritage Places was prepared in 1995 as a requirement of the *Heritage of Western Australia Act 1990* to record buildings within the district of heritage significance. Council resolved at its 25 August 2010 meeting to initiate the review of its Municipal Inventory, guided by a Steering Committee comprising Councillor, staff and community representatives. Following lengthy consultation, research and individual site visitation Council adopted the revised Shire of Chapman Valley Municipal Inventory of Heritage Places at its 17 October 2012 meeting of Council.

The review and update of a Local Government Municipal Inventory of Heritage Places was undertaken as per the requirements of Section 45 of the *Heritage of Western Australia Act 1990*:

- “(1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
 - (a) updated annually; and*
 - (b) reviewed every 4 years after compilation.*
- (3) A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) A local government shall ensure that the inventory required by this section is compiled with proper public consultation.”*

Shire of Chapman Valley Town Planning Scheme No.1 includes provisions for the protection of places listed in Appendix 5 – Schedule of Places of Heritage Value. Scheme No.1 was gazette in 1982 and the subsequently released *Planning and Development Act 2005* allows for the protection of heritage places or areas that are identified in a Heritage List. Draft Scheme No.2 draws upon the provisions of the *Planning and Development Act 2005* in relation to the formation of a Heritage List and states as follows:

“7.1 Heritage List

7.1.1 The Local Government is to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.

7.1.2 In the preparation of the Heritage List the Local Government is to:

- (a) have regard to the Municipal Inventory prepared by the Local Government under Section 45 of the Heritage of Western Australia Act 1990; and*
- (b) include on the Heritage List such of the entries on the Municipal Inventory as it considers to be appropriate.*

7.1.3 For the purpose of this Clause, the Heritage List means the Shire of Chapman Valley Municipal Inventory as it relates to the Scheme Area, as amended from time to time, prepared by the Local Government pursuant to Section 45 of the Heritage of Western Australia Act (as amended), or such parts thereof described in the Heritage List.

7.1.4 In considering a proposal to include a place on the Heritage List the Local Government is to:

- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 7.1.1 and the reasons for the proposed entry;*
- (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the day the notice is served;*
- (c) carry out such other consultations as it thinks fit; and*
- (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.*

7.1.5 Where a place is included on the Heritage List, the Local Government is to give notice of the inclusion to the Western Australian Planning Commission, the Heritage Council of Western Australia and to the owner and occupier of the place.

7.1.6 The Local Government is to keep a copy of the Heritage List with the Scheme documents for public inspection.

7.1.7 The Local Government may remove or modify the entry of a place on the Heritage List by following the procedures set out in clause 7.1.4.

Note:

1 The purpose and intent of the heritage provisions are:

- (a) to facilitate the conservation of places of heritage value; and*
- (b) to ensure as far as possible that development occurs with due regard to heritage values.*

2 A “place” is defined in Schedule 1 and may include works, buildings and contents of buildings.”

The heritage provisions in Part 7 of the Scheme with the exception of Part 7.1.3 accord with the Model Scheme Text. Part 7.1.3 of the Scheme establishes the Municipal Inventory as the Heritage List, and this was intended to remove duplication in landowner consultation and document preparation with the *Heritage of Western Australia Act 1990* already requiring the preparation and periodic review of a Municipal Inventory.

The operation of the Heritage List under Scheme No.2 would remain at the discretion of Council, with it being considered appropriate that minor works to buildings listed within the Municipal Inventory would continue to be addressed under delegated authority, and applications that are considered to have a potentially more significant impact upon buildings listed in the Municipal Inventory (including applications for demolition) would be presented to Council for its consideration.

The Management Categories assigned to entries listed within the Municipal Inventory would guide staff (and Council) on whether applications might be considered under delegated authority and whether conditions of approval might be appropriate.

The Municipal Inventory lists the heritage sites within the document under the following management categories:

- 1 Level of Significance: EXCEPTIONAL SIGNIFICANCE: Essential to the heritage of the locality. Rare or outstanding example.
Management Recommendation: Conservation of the place is considered essential. Any proposed change should not unduly impact on the significance of the place and be in accordance with either a Conservation Plan or Heritage Impact Statement.
- 2 Level of Significance: CONSIDERABLE SIGNIFICANCE: Very important to the heritage of the locality.
Management Recommendation: Conservation of the place is highly recommended. Any proposed change should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.
- 3 Level of Significance: MODERATE SIGNIFICANCE: Important to the heritage of the locality.
Management Recommendation: Conservation of the place is recommended. Any proposed change to the place should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.
- 4 Level of Significance: SOME SIGNIFICANCE: Contributes to the heritage and/or historical development of the locality.
Management Recommendation: Conservation of the place is desirable. Any proposed change to the place should be in sympathy with the heritage values of the place.
- 5 Level of Significance: HISTORIC SITE: The site has historic significance for its previous use and its role in the historical development of the locality.
Management Recommendation: Proposed development may need to have regard to possible archaeological evidence remaining on the site. Recognise and interpret the site if feasible. This may be achieved through a variety of methods including, but not limited to, signage, public art, paving treatment and plantings as well as design treatment of any new development which reflects the former use of the site.

The Lime Kilns are assigned Management Category 3, and the Stone Ruin Management Category 4, in the Shire of Chapman Valley Municipal Inventory of Heritage Places.

The *Heritage of Western Australia Act 1990* makes separate provision for the protection of places listed on State Register of Heritage Places. Entry of a place in the State Register of Heritage Places is official recognition by the State of its significance to the heritage of Western Australia and means that any changes or works proposed for the place need to be referred, usually by the responsible local government, to the State Heritage Office. At present there are five (5) sites on the State Register within the Shire of Chapman Valley and are listed below as follows:

- Coffee Pot and Waggrakine Well – Coffee Pot Drive, Waggrakine;
- Cuddy Cuddy Changing Station - North West Coastal Highway, Howatharra;

- Narra Tarra Homestead – East Chapman Road, Howatharra;
- Our Lady Fatima Catholic Church and Convent – Chapman Valley Road, Nanson; &
- Road Board Office – East Terrace, Nanson.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Heritage is based on those aspects of our past that we want to recognise and retain, they may evoke special meaning for us as individuals or as member of a community. Heritage is the elements which have played an important role in our history, a building which is special because of its architectural style or association with a person, or a landscape feature with cultural associations. Heritage significance is the aesthetic, historic, scientific, or social significance of a place for the present community and the desire to protect these places for the enjoyment of future generations.

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council thank the State Heritage Office on its offer for a representative to meet with Councillors to discuss the proposed registration of the Howatharra Lime Kilns and Stone Ruin upon the State Register of Heritage Places and confirm that Friday 8 March 2013 at _____pm in the Council Chambers is acceptable.



STATE
HERITAGE
OFFICE

Record No PA131244

Working on behalf of the Heritage Council to recognise, conserve, adapt and celebrate our State's unique cultural heritage

11 January 2013

YOUR REF	
OUR REF	P23650
ENQUIRIES	Kelly Fleming/6552 4000

Mr Simon Lancaster
Manager of Planning
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Attn: Kathryn Jackson

Dear Mr Lancaster

P23650 HOWATHARRA LIME KILNS & STONE RUIN, OAKAJEE, Adjacent to the Oakajee River
Portion of Lot 5663 on Plan 254830 and Portion of Lot 2202 on Plan 254829, being a portion of the land contained in Certificate of Title Volume 2121 Folio 952.

Thank you for your letter, received 25 October 2012, regarding the proposal to consider *P23650 Howatharra Lime Kilns & Stone Ruin, Oakajee* for the State Register of Heritage Places, and the information regarding the recent review of your Municipal Inventory.

The origin of the assessment of these places was the recommendation in the 1995 Shire of Chapman Valley Municipal Inventory. Thank you for sending us extracts from your 2012 Municipal Inventory review where the management categories for the places have been changed. We look forward to receiving a final copy of the document so we can update our records.

Although we appreciate that the level of significance now attributed to the place by the Shire of Chapman Valley Municipal Inventory differs to the Register Committee's resolution that the place may be of State significance, this is not uncommon. Local government inventories are compiled with primary consideration given to the local context. However, places being considered for the State Register take into account the wider context, that is, State stories and themes, and the potential for places to continue to communicate these stories into the future.

In the case of *P23650 Howatharra Lime Kilns & Stone Ruin, Oakajee* the HCWA assessment has primarily recognised its 'scientific values' or 'research potential' as opposed to its 'historic values' as cited in your letter. This means that the place has the potential, through archaeological techniques such as excavation, to reveal much about a past activity that was important to the development of the State.

Lime production began in the earliest period of the Colony's settlement and continues to the present day. The development of this industrial process, how people in various parts of the State adopted and modified it to suit their own needs, and how they solved problems encountered in diverse and often harsh isolated environments, are all questions that may be addressed by investigating places such as this through archaeological excavation. To that end, the kilns in particular represent a 'type' of

www.stateheritage.wa.gov.au
info@stateheritage.wa.gov.au

place that can explain activities related to this industrial process which was integral to the occupation and exploitation of the State. Inclusion in the State Register would encourage the protection of the ruins, and provide a representative sample of two vernacular kiln types for future study within the broader context of lime production.

We acknowledge that the place has values that are different to those more commonly attributed to places on the State Register. However, scientific values have often been neglected in past listings due in part to a limited understanding and acknowledgement of their importance. The significance of archaeological places is often difficult to communicate as they need to be 'revealed' before their significance can be established. This is why we often discuss places such as this in terms of their 'archaeological potential'.

The State Heritage Office currently has a qualified and experienced archaeologist on staff, Dr Kelly Fleming, who would be happy to meet with representatives from the Shire of Chapman Valley to provide some further clarification regarding the consideration of the place for the State Register based on its scientific values/research potential. Kelly is in the process of arranging a trip to the Northampton/Geraldton area in early March 2013 so if this would be a suitable time she could schedule a visit to the Shire of Chapman Valley.

As noted in the 'Site Management' section of the Archaeological Report forwarded with our previous correspondence, *P23650 Howatharra Lime Kilns & Stone Ruin, Oakajee* is situated within the Oakajee Port & Rail Development 'buffer zone'. As the buffer zone is currently not identified as an area for development, the retention of *P23650 Howatharra Lime Kilns & Stone Ruin, Oakajee* within this zone would not be an impediment to the project. However, should the place progress to the State Register, and development within the buffer zone be proposed in the future, works that may have an adverse impact on the site would need to be referred to the Heritage Council for advice, and archaeological excavations would likely be required. As archaeological excavation is itself a destructive process, retention of the feature in situ may not be feasible. Instead, a full archaeological excavation and record of the site prior to demolition, with reports lodged with the State Heritage Office, would ensure the information the site can provide is retained. There is no requirement to undertake conservation works to stabilise the ruins.

If you have any queries about the above please feel free to call Kelly Fleming on 6552 4000. Kelly will also be in touch in the near future to discuss the possibility of a visit to the Shire in March.

Yours sincerely



Penny O'Connor

MANAGER, ASSESSMENTS & REGISTRATION

cc. Tanya Henkel – Regional Heritage Adviser Midwest & Western Wheatbelt
cc. Kasey Green, LandCorp, Locked Bag 5, Perth Business Centre, Perth WA 6849

**PLACE NUMBER 8
LIME KILNS**

PLACE DETAILS

Place Number: 8
 Management Category: 3
 Name: Lime Kilns
 Other Name: -
 Type of Place: Lime Kilns
 Street Address: Location 5663 North West Coastal Highway, Oakajee

PHOTOGRAPH



Description: Lime Kiln 1

Date of Photo: 15/4/2010

SITE DETAILS

Lot/Location:	5663	Street Number:	-
Street Name:	North West Coastal Highway	Locality Name:	Oakajee
Diagram/Plan:	P254830	Volume/Folio:	2121/952
Reserve No/Vesting:	N/A	Purpose:	N/A
Assess No:	A1525	HCWA No:	13670
GPS Coordinates:		Area of Site:	129.76ha
Occupied:	N/A	Public Access:	No

Heritage Inventory

Lot 7 Chapman Valley Road Nabawa | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 www.chapmanvalley.wa.gov.au

Page 63

USES OF THE PLACE

Original Use:	Lime Kilns	Current Use:	Not in use
---------------	------------	--------------	------------

DESCRIPTION

Walls:	Brick & Stone	Roof:	N/A
Condition:	Poor	Integrity:	Low
Original Fabric:	See below	Modifications:	See below

Situated in a paddock approximately two kilometres west of the North West Coastal Highway, the site consists of the remains of four purpose built vernacular lime kiln structures. Accessed via a rough track over hills and valleys and across paddocks, the kilns are only visible on close proximity inspection. Two kilns are located on the side of a limestone outcrop hill facing east and the other two are located down a valley to the east in a former paddock currently contoured and planted out with plantation trees. All four kilns are utilitarian structures, with the basic form determined by the requirements of the lime burning process.

Hillside Kiln 1 comprises a circular brick kiln with a diameter of approximately 2 metres, situated predominantly below ground. The external lining of the circular form is curved steel plate, and the interior is lined with bricks and stone. The kiln is in a ruinous state filled with debris and the top of the wall is damaged and deteriorated. Hillside Kiln 2, located several metres to the east down the hill, consists of a pile of random limestone and could possibly be the remains of a vent for Kiln 1.

Valley Kiln 3 comprises the remains of a square or rectangular stone structure predominantly below ground level, with only 2-3 random stone courses above ground level. The pit surrounded by the stone walls is in-filled with debris. Valley Kiln 4 is also of stone construction, several metres in length with stepped ends and approximately 1 metre in height. The stone wall extends below ground level with an open pit to the front (west). Several openings along the back (east) wall appear to be vents to assist with the function of the kiln.

HISTORY

Construction Date:	1926	Source:	HCWA
Architect:	Unknown	Builder:	Unknown

The four lime kilns are located on Victoria Location 5663, land which was originally held under pastoral lease with the first freehold title being issued in 1918 to Edward Norman Hester and Henry Edward Carey of White Peak Station. They held the title together until 1941, when it was transferred to Carey who retained ownership until 1954. It was during Hester and Carey's ownership that the lime kilns are known to have been in operation. A lime kiln is marked on a 1926 Lands & Survey plan. The kilns are not of a large commercial size and therefore are believed to have been used for domestic purposes. Various sources indicate that the kilns were operational through the 1930s, 40s and until 1952. (Source: HCWA Assessment Documentation P13670)

HISTORIC THEME(S)

HCWA	AHC
110 Resource exploitation and depletion	3.4 Utilising natural resources
303 Mining (including mineral processing)	



STATEMENT OF SIGNIFICANCE

The Lime Kilns located at Howatharra have some scientific value and could assist in understanding the use of the place and the lime burning process. The place has some historic significance given it was established to provide lime for local building work in the district.

MANAGEMENT CATEGORY

Category: 3

Level of Significance: MODERATE SIGNIFICANCE. Important to the heritage of the locality.

Management Recommendation: Conservation of the place is recommended. Any proposed change to the place should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.

OTHER LISTINGS

Nil.

SUPPORTING INFORMATION / REFERENCES

HCWA Register Assessment Documentation – HCWA P13670

Assessment Date: 18/2/1993

Last Revision Date: 17/10/2012

ADDITIONAL PHOTOGRAPHS

Description: View of Kiln 1 (left) and Kiln 4 (right)

Date of Photo: 18/02/1993



Description: Kiln 1

Date of Photo: 15/4/2010



Description: Kilns 2 (left) and 3 (right)

Date of Photo: 15/4/2010



Description: Kiln 4

Date of Photo: 15/4/2010



Heritage Inventory

Lot 7 Chapman Valley Road Nabawa | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 www.chapmanvalley.wa.gov.au

Page 66

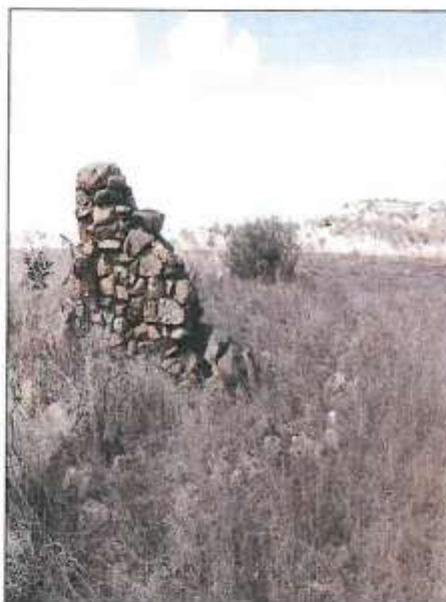


PLACE NUMBER 9
CHINAMAN'S HOUSE RUINS

PLACE DETAILS

Place Number: 9
Management Category: 4
Name: Chinaman's House
Other Name: Stone Cottage Ruins
Type of Place: Cottage Ruins
Street Address: Location 5663 North West Coastal Highway, Oakajee

PHOTOGRAPH



Description: Stone remains of cottage

Date of Photo: 15/4/2010

SITE DETAILS

Lot/Location:	5663	Street Number:	-
Street Name:	North West Coastal Highway	Locality Name:	Oakajee
Diagram/Plan:	P254830	Volume/Folio:	2121/952
Reserve No/Vesting:	N/A	Purpose:	N/A
Assess No:	A1525	HCWA No:	6358
GPS Coordinates:		Area of Site:	129.76ha
Occupied:	No	Public Access:	No

Heritage Inventory

Lot 7 Chapman Valley Road Nabawa | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 www.chapmanvalley.wa.gov.au

Page 67



USES OF THE PLACE

Original Use: Residence Current Use: Ruins

DESCRIPTION

Walls: Stone Roof: N/A
Condition: Poor Integrity: Low
Original Fabric: Ruins Modifications: Unknown

Chinaman's House comprises the ruins of a vernacular stone dwelling situated adjacent to the Oakajee River at Howatharra. Located in a paddock approximately 2 kilometres west of the North West Coastal Highway, the site is accessed via a rough track skirting the topography of hills and riverbank. Only small sections of low remnant wall remain of the cottage, believed to have comprised of two-rooms. Surrounding scattered piles of rocks are presumed to have come from former walls. The stone is local granite in random sizes.

HISTORY

Construction Date: 1930's Source: HCWA
Architect: Unknown Builder: Unknown

The cottage would appear to have been constructed sometime during the c1930s. The cottage appears on a 1943 Army aerial survey map of the district but not on a 1926 Lands & Survey map. It is believed to have been occupied by a person, or family, by the name of McDonald, who may have undertaken market gardening of tomatoes. The 1943 map indicates what could be a fenced plot of land immediately south of the cottage. A local legend said that the place was occupied by a Chinaman who grew tomatoes which is just that – a legend. An event involving a Chinaman found hanging from a tree in the area sometime in the late 1940s prompted local leaseholder Trevor Royce to call the place Chinaman's Hut (Source: HCWA Assessment Documentation P6358).

HISTORIC THEME(S)

HCWA	AHC
104 Land allocation and subdivision	3.5 Developing primary production
302 Rural industry and market gardening	8.14 Living in the country and rural settlements

STATEMENT OF SIGNIFICANCE

The place has only some heritage significance as a representative example of a small-scale vernacular dwelling associated with the agricultural settlement of the Chapman Valley district in the first half of the twentieth century.

MANAGEMENT CATEGORY

Category: 4

Level of Significance: SOME SIGNIFICANCE. Contributes to the heritage and/or historical development of the locality.

Management Recommendation: Conservation of the place is desirable. Any proposed change to the place should be in sympathy with the heritage values of the place.



OTHER LISTINGS

HCWA Register Assessment Documentation – HCWA P6358

SUPPORTING INFORMATION / REFERENCES

Assessment Date: 18/2/1993

Last Revision Date: 17/10/2012

ADDITIONAL PHOTOGRAPHS

Description: View of stone rubble ruins

Date of Photo: 18/02/1993



AGENDA ITEM:	9.1.8
SUBJECT:	PROPOSED ROAD NAMING, YUNA
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	YUNA TOWNSITE
FILE REFERENCE:	1001.1245
PREVIOUS REFERENCE:	12/12-5
DATE:	25 JANUARY 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council resolved at its 12 December 2012 meeting that the unnamed road leading northwards off Chapman Valley Road to the Yuna Hall, Tennis Club and ‘Oval’ be named ‘Wally Bawden Lane’. Shire staff subsequently wrote to the Department of Regional Development and Lands’ Geographic Names Committee on 13 December 2012 seeking formal application of ‘Wally Bawden Lane’ to the road reserve.

A response has now been received advising that ‘double barrel’ road names are no longer considered suitable and suggesting ‘Bawden Lane’, and this matter has therefore been returned to Council for its further consideration.

COMMENT

A copy of the Shire’s correspondence to the Geographic Names Committee has been included as **Attachment 1** to this report and the received response has been included as **Attachment 2** for Council’s information.

The subject unnamed road reserve leads northwards off Chapman Valley Road and runs past the CWA Building to provide access for the Yuna Hall, Tennis Club, ‘Oval’ and proposed Community Centre site.

Figure 1 – Location Plan for unnamed road reserve

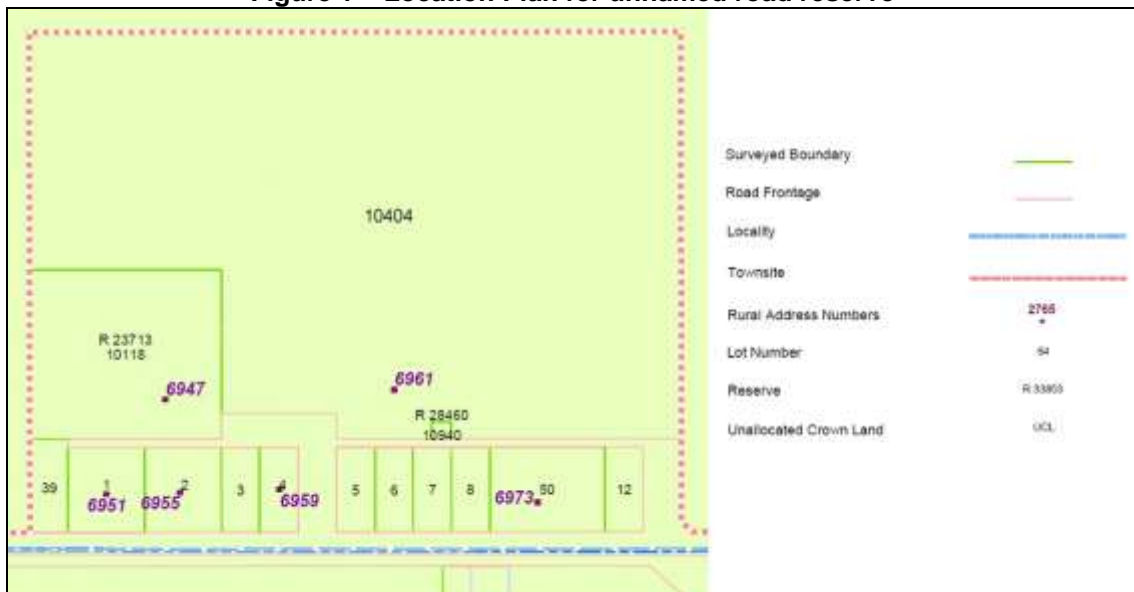


Figure 2 – Aerial photo of unnamed road reserve



Figure 3 – View of unnamed road reserve looking northwards from Chapman Valley Road



STATUTORY ENVIRONMENT

The Department of Regional Development and Land's Geographic Names Committee is responsible under the *Land Administration Act 1997* for the final approval of road names and ensuring that road names are not duplicated, wherever possible. The Geographic Names Committee deem under their road naming guidelines that the following are not suitable:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 50km radius.

POLICY IMPLICATIONS

Shire Policy 15.210 'Road Names' provides a Council pre-approved list of road names for application in the Shire of Chapman Valley, and a copy of the list for the North-East Ward was included with the 12 December 2012 Council Agenda.

Council has also previously applied road names drawn from outside Policy 15.210 where it has considered it appropriate, these alternative names have derived from the surname of a person or family that has made a notable contribution to the region (and does not already have a road named after them), or a name of local significance such as local flora and fauna, or a notable landscape or built form feature, or a local event.

FINANCIAL IMPLICATIONS

The decision of Council arising from this report will not have a budgetary impact other than the minor cost of installing a street sign on-site which can be covered within a road maintenance account.

STRATEGIC IMPLICATIONS

The recognition of notable landmarks or local identities as road names will assist in promoting tourism and heritage in Chapman Valley rather than the application of more generic titles.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council write to the Geographic Names Committee advising that it supports the application of the name 'Bawden Lane' to the unnamed road that leads northwards off Chapman Valley Road to the Yuna Hall, Tennis Club and 'Oval'.



Shire of
Chapman Valley
Love the Rural Life

Record No Amiz153

Our Ref: 1001.1245
Enquiries: Simon Lancaster

13 December 2012

Geographic Names Committee
PO Box 2222
MIDLAND WA 6936

Dear Sir / Madam

PROPOSED ROAD NAMING – WALLY BAWDEN LANE, YUNA

The Shire of Chapman Valley writes seeking your assistance in the application of a name to an existing, unnamed road reserve in the Yuna townsite.

The subject unnamed road reserve leads northwards off Chapman Valley Road and runs past the Yuna CWA Building to provide access for the Yuna Hall, Tennis Club, Oval and proposed Community Centre site.

Council resolved at its 12 December 2012 meeting that the road should be named 'Wally Bawden Lane' in recognition of a local historical identity who ran the garage in the Yuna townsite in the 1930's and was a talented mechanic serving the local farming community. Walter James Bawden died at the age of 73 on 22 February 1978.

Please find attached with this correspondence some further information on Wally Bawden taken from the local historical reference 'In Search of Land-Stories of Yuna', Jayne Vlahov, 2002, Guardian Print.

The Shire of Chapman Valley looks forward to your advice that the road has been formally named as 'Wally Bawden Lane', however, should further information be required, please do not hesitate to contact either Mr Simon Lancaster or Mrs Kathryn Jackson at this office on (08) 9920 5011.

Yours faithfully,

Simon Lancaster
MANAGER OF PLANNING

Enc.



WALLY & MAY BAWDEN

The recent presentation of a small brass plate to the Chapman Valley Historical Society Museum, Nanson, prompts me to write up what I know of an interesting, well-known and popular man.

The plate was intended for a gas producer, during World War II. Obviously the plate was never used but Wally made many of the producers, fitting them to vehicles to overcome petrol shortage during the war.

Wally was a self styled "Mechanical Engineer" and most likely had qualifications above that of a mechanic as they were styled in those days. He was most certainly a very clever man with above average mechanical abilities and put this knowledge to good use.

From about 1930 he ran a garage and shell agency at Yuna. He was general mechanical man to all in the area in a day when farmers did not have equipment, such as welders, on the farms. His reputation is still spoken of whenever he is mentioned. He had a brother Bert with him, who was a pilot. Wally told me that Bert was a pilot for the McKay Expedition. They made some of the world's first aerial maps of the desert areas around the WA border. Lake McKay takes it name from them - a large salt lake, no doubt recorded at that time. I expect Bert was a World War I pilot as many were in those days.

After the war ended in 1945, an auction was held at the Geraldton airport in 1946 of all the training planes used there, and possibly others. Wally bought virtually the lot. Reputed to be two hundred. There were certainly plenty. With a mate I rode my pushbike out to have a look. They were in the paddock south west of the drome, parked in neat rows, mainly Avro Anson and 1930 vintage bombers. Everyone was complete but had holes punched through all the fabric on fuselage and wings to make them inoperative. We wandered around all the afternoon climbing in and out the planes. When we left we found another lad who had done the same and we hadn't seen each other.

Wally also bought surplus equipment in New Guinea and elsewhere. It was reputed at the time that he owned more aeroplanes than any man in the world. I know he paid two pounds and ten shillings for each plane here. The basic wage at that time was about six pounds, so the equivalent nowadays would be about \$150 per plane. He bought spare engines and these were turned into electric power plants, as normal engines were in short supply. Wally also owned two brand new in Rolls Merlin engines, in crates. These were the engines which made the Spitfire the world's best fighter. They were made of course by Rolls Royce Company. Incidentally an English fitter employed by Rolls Royce during the war, Mr Les Howell, was one who helped make these marvellous engines. The railways employed him. I enjoyed talking to him about Rolls Royce and I bought my first house from him, 214 Sixth Street, Worthingella.

To get back to Wally Bawden. He came to town and set up shop opposite the present museum, in what had been Harry Carr's second-hand and minor repair shop. Harry retired then, about 1946.

Wally lived in a partitioned off portion of the building with his wife May. The Rolls Merlin engines were his pride. One in an unopened box with the other on top of it, with the box or crate demolished so that the engine could be seen. From memory it was about 3 metres long and very complicated to our eyes then. Nowadays we wouldn't perhaps be so awed by its complexity.

I understand that one of them went to America and was used to restore a spitfire for Elvis Presley.

Behind the shop were enormous sheds, once Wainwright's store sheds. They were of limestone with iron roofs. They still belonged to Harry Carr, who I presume rented them to Wally. Dick Carr later owned them.

Wally employed a friend of mine, Gordon Hancock, as apprentice mechanic and together repaired vehicles. However, they also demolished the aeroplanes and stored the valuable parts in the commodious shed at the rear of the shop. Wings were stored in a paddock, now Bundiayarra ground, at Rangeway. These were there for many years.

Much aluminium and light steel tubing and many parts of the planes were salvaged and sold. Wally gave me a gun turret and tail plane from an Avro Anson.

I gave them Museum to Museum.

After writing the war. All wheels, pit but wheels carrier (tra tanks to tr.

He sold re Wally had Trevor belli Morgan of

A gas prod and Suzan Stan Gratt

We arrivc During our and sprayl

We also st all of whic From 197:

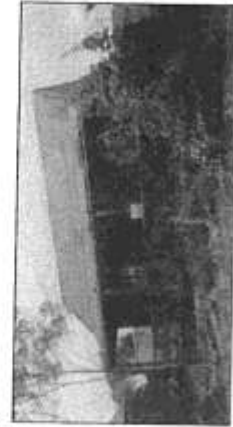
The openi years.

We also h bore pump In 1979 C: a lot of wil

We had it Looking b

I gave them to the Geraldton Historical Society when we opened the museum. They were a bit out of place, so we (the society) swapped them to Bullcreek Air Museum for some good photos of our wartime aerodrome and we have these at the Lighthouse Keeper's Cottage, Bluff Point. The turret is on view at Bullcreek Museum.

After writing this article I contacted Mr Trevor Criddle (now deceased) who was an apprentice to Wally Bawden and assisted in dismantling of the aircraft after the war. Also employed in the dismantling were Mr Ted Norwood (deceased) and a retired policeman named McAskill. There were about 60 planes and all had wheels, propellers, carburettors and instruments removed to make the planes inoperative. Carburettors and magnetos were simply thrown on the rubbish tip, but wheels and props disappeared from the drome. The planes were without wheels so skids were fitted and all towed away to where I saw them by a Bren gun carrier (traced personnel carrier). The planes were dismantled there over a period. Wally sold the aluminium and steel tubing for various purposes, the fuel tanks to truckles for long range tanks and the undercarriage wind up gear was made into winches for boats, etc.



Wally's House

He sold reconditioned engines to Jimmy Woods of Woods Airways, also other parts. Trevor said to me that Wally had only one new Rolls Merlin engine but bought eighteen more. About twelve were reconditioned. Trevor believed that all of them were eventually scrapped except for the new one, which went to Llewellyn Morgan of Arrino. This is the one reputed to have gone to Elvis Presley's Spitfire.

A gas producer made by Wally Bawden can be seen at the Chapman Valley Historical Society, Nanson. Brian and Suzanne Wilton and family donated this.

Stan Gratte - 9th January 2002.

BELL FAMILY

We arrived in Yuna Easter 1974 with baby Sarah who was followed by David, Louise and Lisa.

During our time in Yuna there were many changes in farm machinery going from 2WD tractors to 4WD tractors and the arrival of air seeders up to 60 ft, lupins and spraying becoming an important part of farming practice.

We also saw the building of the Mallee Race Course, just south of Yuna, which included clearing and building a toilet block built with cement bricks, and tearooms, all of which was a community effort.

From 1977-1982 we had the Yuna field days supported by machinery dealers and businesses in the region. The money raised going to local organizations.

The opening of the swimming pool in 1978 at the school was the result of another community effort, which has brought great benefit to children during the ensuing years.

We also had the ongoing problem with the town's water supply which was eventually helped by the Water Authority clearing out the dams, and a supplementary bore pumping water in from Rockwell. In 1981 CBH built a new bin to cater for the increasing grain production.

In 1979 Cyclone Hazel, who managed to do considerable damage to the tennis pavilion and the new golf club, visited us. The following year Alby visited us with a lot of wind and dirt but no structural damage.

We had three dry years 1973, 1977 and 1978, which saw a reduction in stock numbers and crop production and the resilience of the district. Looking back when we left in 1984 it had been a very busy ten years with many wonderful highs.

From: Therese Hadland [mailto:Therese.Hadland@landgate.wa.gov.au]
Sent: Tuesday, 22 January 2013 10:32 AM
To: Simon Lancaster
Subject: Job 60 (2013) Request to Apply the name Wally Bawden Lane

Hello Simon

Thank you for your request to apply the name Wally Bawden Lane to an unnamed road in Yuna. I enjoyed reading the article on Wally Bawden, who appeared to be an interesting and talented individual. Below is an extract of the new GNC guidelines relating to the use of applying personal names to roads. As double barrel road names are no longer suitable, I suggest naming the road Bawden Lane. I have checked the name and there are no duplications within the 50km radius.

Use of personal names

Proposals to assign a name to commemorate an individual shall only be considered if:

- such application is in the public interest;
- there is evidence of broad community support for the proposal;
- the person has been deceased for at least two (2) years;
- where the applicant requesting the new name is not an immediate relative, written permission of the family is obtained;
- the person being honoured by the naming has had either some direct and long-term association, twenty (20) or more years, with the feature or has made a significant contribution to the area in which it is located;
- the proposal commemorating an individual with an outstanding national or international reputation has had a direct association with the area in which it is located. If the person has not been directly associated with the area the name shall not be considered.

A commemorative name applied to an administrative boundary or road shall only use the surname of a person and shall not include the first or given names.

I look forward to your feedback on proceeding with Bawden Lane. Please don't hesitate to contact me if you wish to discuss this further. I have applied Job No: 60 (2013) to your application please quote this number when making enquiries.

Regards,
 Therese Hadland

Geospatial Officer
 Geographic Names
 Location Knowledge Services
 Phone: 0892737275. Fax 0892737660
 (Mon, Tue, Thur, Fri)
 Email: geographicnames@landgate.wa.gov.au

Were you happy with our level of service?
 Please feel free to post your comments to us [Submit Feedback](#)



1 Midland Square MIDLAND WA 6056
 Email: geographicnames@landgate.wa.gov.au
 Internet: <http://www.landgate.wa.gov.au>
 Phone: +61 8 9273 7572

This e-mail and any files transmitted with it are intended only for the use of the addressee(s). It may contain information that is confidential and privileged, in which case neither is intended to be waived or lost by mistaken delivery to you. If you are not an intended recipient, any use, interference with, disclosure, distribution or copying of this material is unauthorised and prohibited. If you receive this e-mail in error, please notify the sender by return e-mail and delete the message and any attachments from your system. Unless specifically indicated, this e-mail does not constitute formal advice or commitment by the sender or the Western Australian Land Information Authority (Landgate). Information in this message not relating to the official business of Landgate shall be understood as neither given nor endorsed by it. It is your responsibility to check any attachments for viruses and defects before opening or sending them on. Landgate's liability is limited to re-supplying affected attachments.

9.2

Chief Executive Officer

February 2013

Contents

9.2 AGENDA ITEMS

- 9.2.1 Annual Electors Meeting Minutes
- 9.2.2 Finance & Audit Committee Minutes
- 9.2.3 Local Government Ordinary Election 2013
- 9.2.4 Chapman Valley Agricultural Society
- 9.2.5 Land Conservation District Committee
- 9.2.6 **Confidential Item** – Lease Renewal
- 9.2.7 **Confidential Item** – Lease Renewal
- 9.2.8 **Confidential Item** – Annual Leave Deferment
- 9.2.9 **Confidential Item** – CEO Annual Performance Review

AGENDA ITEM:	9.2.1
SUBJECT:	ANNUAL ELECTORS MEETING MINUTES
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	413.01
PREVIOUS REFERENCE:	04/12 - 13
DATE:	6 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council held its Annual Electors meeting on 6 February 2013 and a copy of the unconfirmed minutes from the meeting have been included as **Attachment 1**.

COMMENT

This item is presented to Council at its next ordinary meeting following an Annual Electors meeting to enable its consideration of the issues raised. There being no decisions or resolutions from the Annual Electors meeting requiring Councils consideration, Council only need receive the minutes.

STATUTORY ENVIRONMENT

Section 5.33 of the *Local Government Act 1995* requires that:

- “(1) *All decisions made at an electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
- (a) *At the first ordinary council meeting after that meeting; or*
 (b) *At a special meeting called for that purpose.*
- whichever happens first.*
- (2) *If at a meeting of the Council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That the minutes of the Annual Electors meeting dated 6 February 2013 be received.



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

**ANNUAL GENERAL MEETING OF ELECTORS
WEDNESDAY 6TH FEBRUARY 2013
COUNCIL CHAMBERS NABAWA
6.00PM**

Unconfirmed Minutes Shire of Chapman Valley Annual General Electors Meeting 6 February 2013

DISCLAIMER



Shire of
Chapman Valley
Love the Rural Life

No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on

WRITTEN CONFIRMATION

Of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

Stuart Billingham
CHIEF EXECUTIVE OFFICER

Unconfirmed Minutes Shire of Chapman Valley Annual General Electors Meeting 6 February 2013

1.0 DECLARATION OF OPENING

The Chairman, Cr J Collingwood – (President) declared the meeting open at 6.00pm.

2.0 RECORD OF ATTENDANCE

2.1 Present

a. Councillors

Member	Ward
Cr John Collingwood - President	North East Ward
Cr Peter Batten – Deputy President	North East Ward
Cr Pauline Forrester	North East Ward
Cr Beverly Davidson	North East Ward
Cr Peter Humphrey	South West Ward
Cr David Bell	South West Ward

b. Staff

Officer	Position
Mr Stuart Billingham	Chief Executive Officer
Mrs Debby Barndon	Manager of Finance
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mr Earl O'Donnell	Senior Ranger
Mr Ken Barndon	Works Supervisor
Mr Simon Lancaster	Manager of Planning

c. Visitors

Name	Name
Mrs Sue Collingwood	
Mr Tony Warr	
Mrs Anne Bell	

2.2 Apologies

Councillor	Ward
Cr Trevor Royce	North East Ward
Cr Anthony Farrell	North East Ward

3.0 CONFIRMATION OF MINUTES FROM PREVIOUS ANNUAL ELECTORS MEETING HELD ON WEDNESDAY 21 MARCH 2012

MOVED: MRS COLLINGWOOD

SECONDED: MR WARR

That the Minutes of the Annual General Meeting of Electors held on Wednesday 21 March 2012 be confirmed.

CARRIED
Voting 9/0
Minute Reference AEM 02/13 - 1

4.0 RECEIVING OF THE ANNUAL REPORT 2011/2012

4.1 PRESIDENTS REPORT

Cr Collingwood thanked inside and outside staff for their hard work during the past 12 months.

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That the President's Report be received.

CARRIED
Voting 9/0
Minute Reference AEM 02/13 - 2

Cr Bell and Mrs Bell entered Chambers at 6.08pm

4.2 CHIEF EXECUTIVE OFFICERS REPORTS

Mr S Billingham addressed the meeting and went through his report.

MOVED: MRS COLLINGWOOD

SECONDED: CR FORRESTER

That the Chief Executive Officers Report be received.

CARRIED
Voting 9/0
Minute Reference AEM 02/13 - 3

4.3 2011/2012 ANNUAL FINANCIAL STATEMENTS

MOVED: CR HUMPHREY

SECONDED: CR FORRESTER

That the 2011/2012 Annual Financial Statements be received.

CARRIED
Voting 9/0
Minute Reference AEM 02/13 - 4

4.4 2011/2012 AUDIT REPORT

MOVED: CR DAVIDSON

SECONDED: CR HUMPHREY

That the 2011/2012 Audit Report be received.

CARRIED
Voting 9/0
Minute Reference AEM 02/13 - 5

Unconfirmed Minutes Shire of Chapman Valley Annual General Electors Meeting 6 February 2013

5.0 GENERAL BUSINESS

Mr Tony Warr questioned what has the Council spent on Oakajee and what is going to happen now that it is not going ahead.

Mr Lancaster answered that Council has mainly spent money on time from Planning staff.

Mr Warr questioned about the DRUGARM proposal for the Rehabilitation Centre

Cr Collingwood answered that a public meeting was held on Monday 4 February 2013 and the item will go before the March Council meeting.

6.0 CLOSURE

The Presiding Member thanked members, ratepayers, visitors and staff for attending and declared the electors meeting closed at 6.17pm.

AGENDA ITEM:	9.2.2
SUBJECT:	FINANCE & AUDIT COMMITTEE MINUTES
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	N/A
FILE REFERENCE:	403.05
PREVIOUS REFERENCE:	04/12 - 15
DATE:	6 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Finance & Audit Committee met on Wednesday 6 February 2013 at 3.00pm in the Council Chambers Nabawa. The minutes of the meeting have been included as **Attachment 1**.

COMMENT

The minutes and recommendations from the Finance & Audit Committee meeting dated 6 February 2013 are presented for Council consideration.

STATUTORY ENVIRONMENT

Local Government Act 1995 & Local Government Audit Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

2012/13 Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority.

STAFF RECOMMENDATION

That Council:

1. Receives the minutes of the Finance and Audit Committee meeting 6 February 2013.
2. Received the following Committee Recommendations:
 - a) That the Chief Executive Officers Report dated 6 January 2013 on the Management Report be received and it be noted there are no actions required out of the report.
 - b) That the Chief Executive Officers Report dated 6 January 2013 on the Auditors Report be received and it be noted there are no actions required from the report.
 - c) The 2012 Compliance Audit Return be:
 - signed by the CEO and Shire President.
 - received and recorded in the minutes of Council.
 - submitted to the Department of Local Government.



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

**FINANCE & AUDIT COMMITTEE MEETING
WEDNESDAY 6TH FEBRUARY 2013
COUNCIL CHAMBERS NABAWA
3.00PM**

The Finance and Audit Committee is comprised of:-

Cr John Collingwood
Cr Beverley Davidson
Cr Pauline Forrester

Chief Executive Officer	(Advisor)
Manager of Finance	(Advisor)
Executive Assistant	(Minute Taker)
Greg Godwin	UHY Haines Norton (Auditor)

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

Page | 2

DISCLAIMER



Shire of
Chapman Valley
Love the Rural Life

No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on

WRITTEN CONFIRMATION

Of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

A handwritten signature in blue ink, appearing to read 'Stuart Billingham'.

Stuart Billingham
CHIEF EXECUTIVE OFFICER

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

Page | 4

**FINANCE & AUDIT COMMITTEE MEETING TO BE HELD IN THE
COUNCIL CHAMBERS, NABAWA WEDNESDAY 6TH FEBRUARY
2013 AT 3.10PM**

ORDER OF BUSINESS

1.0 Declaration of Opening / Announcements of Visitors

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 3.10pm.

2.0 Record of Attendance

2.1 Present

a. Councillors

Member	Ward
Cr John Collingwood - President	North East Ward
Cr Pauline Forrester	North East Ward
Cr Beverly Davidson	North East Ward

b. Staff

Officer	Position
Mr Stuart Billingham	Chief Executive Officer (Advisor)
Mrs Debby Barndon	Manager of Finance (Advisor)
Mrs Karen McKay	Executive Assistant (Minute Taker)

c. Visitors

Name	
Mr Greg Godwin	UHY Haines Norton – Auditor (via phone link from 3.12pm to 3.35pm)
Cr Peter Batten	North East Ward
Cr Peter Humphrey	South West Ward

2.2 Apologies

Nil

3.0 Applications for Leave of Absence

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Confirmation of Minutes from previous meetings

Finance and Audit Committee Meeting held on Tuesday 17 April 2012

'Recommend that the minutes of the Finance and Audit Committee of the Shire of Chapman Valley held on Tuesday 17 April 2012 be confirmed as a true and accurate record.

COUNCIL RESOLUTION

MOVED: CR COLLINGWOOD

SECONDED: CR FORRESTER

Recommend that the minutes of the Finance and Audit Committee of the Shire of Chapman Valley held on Tuesday 17 April 2012 be confirmed as a true and accurate record.

Voting 3/0
CARRIED
Minute Reference FAC – 02/13-1

6.0 Agenda Items

6.1	Meet with Councils Auditors	Page 7
6.2	Management Report 30 June 2012	Page 8
6.3	Audit Report 30 June 2012	Page 14
6.4	Compliance Audit Return	Page 18

AGENDA ITEM:	6.1
SUBJECT:	MEET WITH COUNCIL'S AUDITOR
PROPONENT:	FINANCE & AUDIT COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	305.05
PREVIOUS REFERENCE:	N/A
DATE:	6 JANUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Amendments to the *Local Government Act 1995* in 2005 introduced a requirement that all Local Governments establish an Audit Committee. The *Local Government Act 1995* and associated regulations provide the guidelines under which Audit Committees should operate. The roles and responsibilities require the Committee to meet with the auditor at least once a year and this meeting may be by electronic means such as video or telephone, or in person.

COMMENT

Mr Greg Goodwin, Council's Auditor from UHY Haines Norton will address Council via telephone link to discuss the outcomes of the recent Interim Audit and other financial matters as considered necessary.

STATUTORY ENVIRONMENT

Part 7 *Local Government Act 1995* and the Local Government (Audit) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That the Verbal Auditors Report for 30 June 2012 be received.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That the Verbal Auditors Report for 30 June 2012 be received.

CARRIED
Voting 3/0
Minute Reference FAC 02/13-2

Mr Godwin left the meeting at 3.35pm

AGENDA ITEM:	6.2
SUBJECT:	MANAGEMENT REPORT 30 JUNE 2012
PROPONENT:	FINANCE & AUDIT COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	305.05
PREVIOUS REFERENCE:	N/A
DATE:	6 JANUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley has received the Management Report from its Auditors UHY Haines Norton. (Please refer to Management Report Letter submitted as **Attachment 1**).
The following Management Issues were raised:

Management Report

- Quashing of Rates Raised

"During our audit we noted the rates raised in accordance with the budget adopted on 17 August 2011 were quashed by the State Administrative Tribunal on 29 June 2012. The quashing of rates followed advice from the Department of Local Government on 23 November 2011 that the Shire had imposed a minimum payment on more than 50% of GRV rated land contrary to Section 6.35(4) of the Act.

Subsequent to the quashing of the rates Council re adopted the 2011/12 budget on 4 July 2012 to correct the original non-compliance and rate assessments (and ratepayer accounts) were adjusted accordingly.

To help ensure rates raised are in compliance with the Act and collection thereof is enforceable, the requirements of section 6.32, 6.33, 6.34 and 6.35 of the Act should be correctly addressed when adopting budgets in the future."

To help ensure rates raised are in compliance with the Act and collection thereof is enforceable, the requirements of section 6.32, 6.33, 6.34 and 6.35 of the Act should be correctly addressed when adopting budgets in the future.

- Rates Coverage Ratio

"As disclosed in Note 18 to the financial statements, the rate coverage ratio as at 30 June 2012 was 29% compared to 35% at 30 June 2011 and 28% at 30 June 2010.

This ratio measures Council's dependence on rate revenue to fund operations. The higher the ratio the higher the dependency on rates and less the dependency on government grants and other funding sources.

Typically shires of similar description to the Shire of Chapman Valley should operate in the 35% to 45% range (and even then can still experience difficulties depending on circumstances) It is important not to let this ratio slip backwards as that is an indication Council is becoming more reliant on external funding sources which are becoming less reliable.

Whilst the main reason for the negative trend in the 2011/12 financial year is the large increase in grants received, the 35% to 45 % range should be targeted in the medium to longer term."

Revaluation of Roads Infrastructure Assets

"Council has elected to maintain road assets carried at a previously revalued amount at the amount of that previous revaluation.

This is an accepted practice, however would take this opportunity to remind Council revaluations are to be made with sufficient regularity to ensure the carrying value of each asset does not differ materially from its fair value at each reporting date.

Given the last revaluation of Council's road infrastructure assets occurred in 2007, we would suggest fair values be reviewed in the forthcoming year (2012/13). This may require a review of the current system of recording road assets to ensure this information is readily obtainable."

Given the last revaluation of Council's road infrastructure assets occurred in 2007, we would suggest fair values be reviewed in the forthcoming year (2012/13). This may require a review of the current system of recording road assets to ensure this information is readily obtainable.

COMMENT

Management Report

- Quashing of Rates Raised

The 2011/12 Annual Budget adopted by Council on the 17 August 2011 contained an error in the number of properties in the GRV Townsites that were placed on a minimum rate. The Shire had imposed a minimum payment on more than 50% of GRV rated land contrary to Section 6.35(4) of the Act.

The Department of Local Government compliance section took the non – compliance matter to the State Administrative Tribunal after State Solicitors Office advice after multiple Local Governments breached the provisions of the Local Government Act 1995. The State Administrative Tribunal on 29 June 2012 quashed the illegal rates to then permit the Shire to readopt the 2011/12 Budget. The quashing of rates followed a letter to the Shire of Chapman Valley from the Department of Local Government dated 23 November 2011.

This matter is now considered closed and resolved as Council readopted the 2011/12 Annual Budget on 4 July 2012 which remedied the non-compliance with the *Local Government Act 1995*. Internal processes and procedures have been reviewed, updated and amended where required to ensure the requirements of *section 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995* are complied with.

NB These abovementioned requirements were met for the 2012/13 Annual Budget adoption.

- Rate Coverage Ratio

As mentioned by the auditor this ratio provides an indication of Council's reliance on rate revenue to fund operations. Benchmarking for the Shire of Chapman Valley should be between 35%-45% range.

2010-28%
2011-35%
2012-29%

The higher the ratio the higher the dependency on rates and less the dependency on government grants and other funding sources.

The above figures show no trend upwards or downwards except are large fluctuation from year to year.

To ensure this ratio does not reduce Council must ensure each budget it raises rates to its capacity.
NB: This ratio is subject to fluctuation from yearly increases in grants such as Royalties for Region. The 2012/13 Annual report is expected to see this ratio slip backwards due to the size of the funds for the East Bowes Road Project Approx. \$1M.

- Revaluation of Roads Infrastructure Assets

In the 2011 Auditors Management Report the following was quoted:

"To ensure compliance with Council's policy of revaluing roads with sufficient regularity to ensure fair value is correctly reflected, it is intended for the Shire to undertake a Revaluation of its Roads Infrastructure Assets. This will be undertaken by OPUS consultants using ROMANS 2 during 2012/13 year."

In the 2012 Auditors Management Report the following was quoted:

"Council has elected to maintain road assets carried at a previously revalued amount at the amount of that previous revaluation.

This is an accepted practice, however would take this opportunity to remind Council revaluations are to be made with sufficient regularity to ensure the carrying value of each asset does not differ materially from its fair value at each reporting date.

Given the last revaluation of Council's road infrastructure assets occurred in 2007, we would suggest fair values be reviewed in the forthcoming year (2012/13). This may require a review of the current system of recording road assets to ensure this information is readily obtainable."

Given the last revaluation of Council's road infrastructure assets occurred in 2007, we would suggest fair values be reviewed in the forthcoming year (2012/13). This may require a review of the current system of recording road assets to ensure this information is readily obtainable.

The Shire of Chapman Valley has previously relied on external contractors to carry out this revaluation of Road infrastructure by Companies such as OPUS and Green Fields Technical. The contractors have previously used the ROMANS software to measure and assist in the revaluation. ROMANS is controlled by WALGA and ROMANS 2 is now in operation.

It is the new ROMANS 2 Program that is not calculating road values correctly that has prevented the Shire of Chapman Valley undertaking the revaluation in the 2011/12 year. It is anticipated that WALGA will resolve the valuation issues in the 2012/13 year to permit the Shire of Chapman Valley to undertake the Revaluation of its road infrastructure.

STATUTORY ENVIRONMENT

Part 7 - *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996*.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That the Finance and Audit Committee recommend to Council:

That the Chief Executive Officers report dated 6 January 2013 be received and it be noted that there are no actions required out of the report.

COUNCIL RESOLUTION

MOVED: CR DAVIDSON

SECONDED: CR FORRESTER

That the Finance and Audit Committee recommend to Council:

That the Chief Executive Officers report dated 6 January 2013 be received and it be noted that there are no actions required out of the report.

Voting 3/0
CARRIED
Minute Reference FAC – 02/13-3



6 December 2012

Cr J Collingwood
The Shire President
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Cr Collingwood

MANAGEMENT REPORT FOR THE YEAR ENDED 30 JUNE 2012

We advise that we have completed our audit procedures for the year ended 30 June 2012 and enclose our Audit Report.

We are required under the Local Government Audit Regulations to report certain compliance matters in our audit report. Other matters which arise during the course of our audit that we wish to bring to Council's attention are raised in this management report.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in systems and procedures which may exist. However, we aim to use our knowledge of the Shire's organisation gained during our work to make comments and suggestions which, we hope, will be useful to you.

Quashing of Rates Raised

During our audit we noted the rates raised in accordance with the budget adopted on 17 August 2011 were quashed by the State Administrative Tribunal on 29 June 2012. The quashing of rates followed advice from the Department of Local Government on 23 November 2011 that the Shire had imposed a minimum payment on more than 50% of GRV rated land contrary to Section 6.35(4) of the Act.

Subsequent to the quashing of the rates Council re-adopted the 2011/12 budget on 4 July 2012 to correct the original non-compliance and rate assessments (and ratepayer accounts) were adjusted accordingly.

To help ensure rates raised are in compliance with the Act and collection thereof is enforceable, the requirements of Sections 6.32, 6.33, 6.34 and 6.35 of the Act should be correctly addressed when adopting budgets in the future.

t: +61 (0)8 9444 3400
f: +61 (0)8 9444 3430

15 Lakeside Corporate, 24 Parkland Road, Osborne Park, Perth WA 6017
PO Box 1707, Osborne Park, WA 6916

e: perth@uhyhn.com.au
w: www.uhyhn.com

An association of independent firms in Australia and New Zealand and a member of UHY International, a network of independent accounting and consulting firms.

UHY Haines Norton - ABN 87 345 233 205

Liability limited by a scheme approved under Professional Standards Legislation

Rate Coverage Ratio

As disclosed in Note 18 to the financial statements, the rate coverage ratio as at 30 June 2012 was 29% compared to 35% at 30 June 2011 and 28% at 30 June 2010.

This ratio measures Council's dependence on rate revenue to fund operations. The higher the ratio the higher the dependency on rates and the less the dependency on government grants and other funding sources.

Typically, Shire's of similar description to the Shire of Chapman Valley should operate in the 35% to 45% range (and even then can still experience difficulties depending on circumstances). It is important not to let this ratio slip backwards as that is an indication Council is becoming more reliant on external funding sources which are becoming less reliable.

Whilst the main reason for the negative trend in the 2011/12 financial year is the large increase in grants received, the 35% to 45% range should be targeted in the medium to longer term.

Revaluation of Road Infrastructure Assets

Council has elected to maintain road assets carried at a previously revalued amount at the amount of that previous valuation.

This is an accepted practice, however, we would take this opportunity to remind Council revaluations are to be made with sufficient regularity to ensure the carrying value of each asset does not differ materially from its fair value at each reporting date.

Given the last revaluation of Council's road infrastructure assets occurred in 2007, we would suggest fair values be reviewed in the forthcoming financial year (2012/13). This may require a review of the current system of recording road assets to ensure this information is readily obtainable.

This will help ensure Council complies with the requirement of the standard and its assets are fairly stated.

There were no other matters we wish to bring to your attention.

Uncorrected Misstatements

We advise there were no uncorrected misstatements noted during the course of our audit.

We take this opportunity to thank the Chief Executive Officer, the manager of finance & administration and all staff for the assistance provided during the audit.

Should you wish to discuss any matter relating to the audit or any other matter, please do not hesitate to contact us.

Yours faithfully


GREG GODWIN
PARTNER

Encl

INTELLIGENT CHOICE • INTELLIGENT SOLUTIONS

AGENDA ITEM:	6.3
SUBJECT:	AUDIT REPORT 30 JUNE 2012
PROPONENT:	FINANCE & AUDIT COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	403.05 & 305.12
PREVIOUS REFERENCE:	N/A
DATE:	6 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley has received the Final Audit Report from its Auditors UHY Haines Norton. (Please refer to Final Audit Report submitted as **Attachment 2**).

The following Other Legal and Regulatory Requirements were raised:

Audit Report

- Differential Rates

A UV differential rate of more than twice the lowest differential general rate was imposed without the approval of the Minister as required under Section 6.33(3) of the Local Government Act 1995 (as amended).

- Minimum Rates

The Shire imposed a minimum payment on more than 50 percent of GRV rated land contrary to Section 6.35(4) of the Local Government Act 1995 (as amended).

- Local Public Notice on Differential Rates

No local public notice was given prior to adopting differential rates as required by Section 65.36(3)(a), Section 6.36(3)(a)(ii) and Section 6.36(3)(c) of the Local Government Act 1995 (as amended).

COMMENT

Audit Report

- Differential Rates

Internal procedures have now been updated to ensure that the Shire Officers apply to the Minister for Local Government seeking approval in advance before any future differential rates proposed to be raised in the Annual Budget that are more than twice the lowest general rate are imposed. This ministerial permission was sought and grant in the 2012/13 Annual Budget for the Shire of Chapman Valley.

- Minimum Rates

This matter was dealt with by the WA State Administrative Committee (SAT) on the 29 June 2012 quashing the GRV rates raised incorrectly for 2011 2012 financial year.

Council at its Special Council Meeting on the 4 July 2012 readopted a new 2011/12 Budget to resolve this matter. Affected GRV Ratepayers were provided a credit on their 2012/13 Rates Notice.

- Local Public Notice on Differential Rates

Internal procedures have now been updated to ensure that any future Differential Rates will be advertised correctly by way of Local Public Notice, as required by Section 65.36(3)(a), Section 6.36(3)(a)(ii) and Section 6.36(3)(c) of the Local Government Act 1995 (as amended).

Page | 14

STATUTORY ENVIRONMENT

Part 7 *Local Government Act 1995* and the Local Government (Audit) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That the Finance and Audit Committee Recommends to Council:

That the report of the Chief Executive Officer dated 6 January 2013 on the Auditors Report be received and it be noted there are no further actions required from the report.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That the Finance and Audit Committee Recommends to Council:

That the report of the Chief Executive Officer dated 6 January 2013 on the Auditors Report be received and it be noted there are no further actions required from the report.

Voting 3/0
CARRIED
Minute Reference FAC – 02/13-4



**INDEPENDENT AUDITOR'S REPORT
TO THE ELECTORS OF THE SHIRE OF CHAPMAN VALLEY**

Report on the Financial Report

We have audited the accompanying financial report of the Shire of Chapman Valley, which comprises the statement of financial position as at 30 June 2012, statement of comprehensive income by nature or type, statement of comprehensive income by program, statement of changes in equity, statement of cash flows and the rate setting statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the statement by Chief Executive Officer.

Management's Responsibility for the Financial Report

Management is responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended) and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Shire's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Shire's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by Council, as well as evaluating the overall presentation of the financial report.

We believe the audit evidence we obtained is sufficient and appropriate to provide a basis for our audit opinion.

Auditor's Opinion

In our opinion, the financial report of the Shire of Chapman Valley is in accordance with the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended), including:

- a. giving a true and fair view of the Shire's financial position as at 30 June 2012 and of its performance for the year ended on that date; and
- b. complying with Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended).

55

t: +61 (0)8 9444 3420
f: +61 (0)8 9444 3430

16 Lakeside Corporate, 24 Parkland Road, Osborne Park, Perth WA 6017
PO Box 1707, Osborne Park, WA 6016

e: perth@uhytn.com.au
w: www.uhytn.com

An association of independent firms in Australia and New Zealand and a member of UHY International, a network of independent accounting and consulting firms

UHY Haines Norton - ABN 87 345 233 205

Liability limited by a scheme approved under Professional Standards Legislation

**INDEPENDENT AUDITOR'S REPORT
TO THE ELECTORS OF THE SHIRE OF CHAPMAN VALLEY (Continued)**

Report on Other Legal and Regulatory Requirements

During the course of the audit we became aware of the following instances where the Council did not comply with the Local Government Act 1995 (as amended).

Differential Rates

A UV differential general rate of more than twice the lowest differential general rate was imposed without the approval of the Minister as required under Section 6.33(3) of the Local Government Act 1995 (as amended).

Minimum Rates

The Shire imposed a minimum payment on more than 50 per cent of GRV rated land contrary to Section 6.35(4) of the Local Government Act 1995 (as amended).

Local Public Notice on Differential Rates

No local public notice was given prior to adopting differential rates as required by Section 6.36(3)(a), Section 6.36(3)(a)(ii) and Section 6.36(3)(c) of the Local Government Act 1995 (as amended).

In accordance with the Local Government (Audit) Regulations 1996, we also report that:

- a) There are no matters that in our opinion indicate significant adverse trends in the financial position or the financial management practices of the Shire.
- b) Except as noted above, no other matters indicating non-compliance with Part 6 of the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) or applicable financial controls of any other written law were noted during the course of our audit.
- c) All necessary information and explanations were obtained by us.
- d) All audit procedures were satisfactorily completed in conducting our audit.


UHY HAINES NORTON
CHARTERED ACCOUNTANTS

Date: 6 December 2012
Perth, WA


GREG GODWIN
PARTNER

AGENDA ITEM:	6.4
SUBJECT:	COMPLIANCE AUDIT RETURN
PROponent:	FINANCE & AUDIT COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	403.05 & 305.12
PREVIOUS REFERENCE:	N/A
DATE:	6 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present the 2012 Compliance Audit Report to the Audit Committee first then Council for adoption, and then forward a certified copy to the Department of Local Government.

BACKGROUND

Every Local Government Authority in Western Australia is required to complete the Compliance Audit Return (CAR) each year. This year the CAR has been reduced substantially, with many of the questions deleted that were also subject to inspection by Council Auditors.

COMMENT

A Draft copy of the Shire of Chapman Valley 2012 Compliance Audit Return has been provided to Councillors as an **Attachment 3**.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority

STAFF RECOMMENDATION

That the Finance and Audit Committee Recommends to Council that:

- The 2012 Compliance Audit Return be signed by the CEO and Shire President
- The 2012 Compliance Audit Return be received and recorded in the minutes of Council
- The 2012 Compliance Audit Return be submitted to the Department of Local Government.

COUNCIL RESOLUTION

MOVED: CR DAVISON

SECONDED: CR FORRESTER

That the Finance and Audit Committee Recommends to Council that:

- **The 2012 Compliance Audit Return be signed by the CEO and Shire President**
- **The 2012 Compliance Audit Return be received and recorded in the minutes of Council**
- **The 2012 Compliance Audit Return be submitted to the Department of Local Government.**

**Voting 3/0
CARRIED
Minute Reference FAC – 02/13-5**



Government of Western Australia
Department of Local Government

Our Ref: 1383-02 E1229855

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 34-2012

2012 COMPLIANCE AUDIT RETURN FOR LOCAL GOVERNMENTS

The 2012 Compliance Audit Return (CAR) for Local Governments is now available on the Department's website.

Each local government is required to carry out a compliance audit in relation to the period 1 January 2012 to 31 December 2012 against the requirements set out in the 2012 CAR.

The 2012 CAR continues in the reduced format introduced in 2011, with the areas of compliance restricted to those considered high risk.

Further complementary changes to the *Local Government (Audit) Regulations 1996* are proposed in order to expand the current role of local government audit committees. It is proposed the audit committees' role will be extended to encompass a review of areas such as risk management, internal control and legislative compliance. Information related to these changes will be provided in the near future.

The proposed associated transfer of responsibilities to the Audit Committee of each local government will enable them to better manage legislative compliance within their own timeframes, with increased transparency and involvement for elected members. However, the requirement for local governments to comply with relevant legislation will not change.

Please note that regulation 14 of the *Local Government (Audit) Regulations 1996* requires the local government's Audit Committee to review the CAR and report the results to the Council, prior to the CAR's adoption by Council and submission to the Department by 31 March 2013.

Attached is an explanatory document to assist in completion and submission of the 2012 CAR, which is a process local governments need to follow.

Your co-operation in ensuring that completed and certified returns are submitted both electronically and in hard copy is appreciated. By submitting the CAR electronically the Department is able to provide timely feedback to local governments.

Gordon Stephenson House
140 William Street Perth WA 6005
GPO Box R1250 Perth WA 6844
Tel: (08) 6552 1500 Fax: (08) 6552 1555 Freecall: 1800 620 511 (Country only)
E-mail: info@dlg.wa.gov.au Website: www.dlg.wa.gov.au
wa.gov.au

13/02/12

Should you require any further information, please contact Andrew Borrett on (08) 6552 1532 or andrew.borrett@dlg.wa.gov.au. For questions related to electronic submission of the CAR please contact Meena Khokhar on (08) 6552 1530 or meena.khokhar@dlg.wa.gov.au.



Jennifer Mathews
DIRECTOR GENERAL

19 December 2012



Chapman Valley - Compliance Audit Return 2012

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2012.	N/A		Stuart Billingham
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2012.	N/A		Stuart Billingham
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2012.	N/A		Stuart Billingham
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2012.	N/A		Stuart Billingham
5	s3.59(5)	Did the Council, during 2012, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Stuart Billingham



Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Stuart Billingham
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Stuart Billingham
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Stuart Billingham
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Stuart Billingham
5	s5.18	Has Council reviewed delegations to its committees in the 2011/2012 financial year.	Yes		Stuart Billingham
6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Stuart Billingham
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Stuart Billingham
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Stuart Billingham
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Stuart Billingham
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Stuart Billingham
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Stuart Billingham
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year.	Yes		Stuart Billingham
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Stuart Billingham

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Stuart Billingham
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Stuart Billingham

2 of 8



No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Stuart Billingham
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Stuart Billingham
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Stuart Billingham
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2012.	Yes		Stuart Billingham
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2012.	Yes		Stuart Billingham
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Stuart Billingham
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Stuart Billingham
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Stuart Billingham
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Stuart Billingham
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Stuart Billingham
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Stuart Billingham
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Stuart Billingham



No	Reference	Question	Response	Comments	Respondent
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Stuart Bilingham
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Stuart Bilingham

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		Stuart Bilingham
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes		Stuart Bilingham

Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Stuart Bilingham

Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Stuart Bilingham
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Stuart Bilingham
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Stuart Bilingham
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Stuart Bilingham
5	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Stuart Bilingham

4 of 8



No	Reference	Question	Response	Comments	Respondent
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2012 received by the local government within 30 days of completion of the audit.	Yes		Stuart Billingham
7	s7.9(1)	Was the Auditor's report for 2011/2012 received by the local government by 31 December 2012.	Yes		Stuart Billingham
8	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	Yes		Stuart Billingham
9	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	Yes		Stuart Billingham
10	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	Yes		Stuart Billingham
11	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Stuart Billingham
12	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Stuart Billingham
13	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Stuart Billingham
14	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Stuart Billingham
15	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Stuart Billingham



Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		Stuart Billingham
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Stuart Billingham
3	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Stuart Billingham
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Stuart Billingham
5	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		Stuart Billingham

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		Stuart Billingham
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Stuart Billingham
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Stuart Billingham
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Stuart Billingham
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Stuart Billingham
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Stuart Billingham

6 of 8



Tenders for Providing Goods and Services

Reference	Question	Response	Comments	Respondent
s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Stuart Billingham
F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes		Stuart Billingham
F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Stuart Billingham
F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Stuart Billingham
F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	N/A		Stuart Billingham
F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Stuart Billingham
F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Stuart Billingham
F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Stuart Billingham
F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Stuart Billingham
F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes		Stuart Billingham
F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		Stuart Billingham



No	Reference	Question	Response	Comments	Respondent
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Stuart Billingham
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Stuart Billingham
14	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	Yes		Stuart Billingham
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes		Stuart Billingham

7.0 Information Items

8.0 General Business

9.0 Closure

The Chairman thanked the Elected members and Staff for their attendance. The meeting was declared closed at 4.07pm

AGENDA ITEM:	9.2.3
SUBJECT:	LOCAL GOVERNMENT ORDINARY ELECTION 2013
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	402.00
PREVIOUS REFERENCE:	
DATE:	5 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

In the lead up to the October 2013 Local Government Elections the Chief Executive Officer has sought a cost estimate from the Western Australian Electoral Commission on 31 January 2013 to conduct the October 2013 ordinary elections for the Shire of Chapman Valley as a postal election.

The estimated cost for the 2013 election, if conducted as a postal ballot is \$10,000 including GST.

This is based on the following:

- 770 Electors
- Response rate of approximately 60%
- 4 Vacancies
- Count to be conducted at the Shire of Chapman Valley Administration offices.

Costs not incorporated in this estimate include:

- Non-statutory advertising
- Any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns.
- One local government staff member to work in the polling place on Election Day with the returning officer.

COMMENT

The 2011 Council election was carried out in-house at a cost of approximately \$9,000 (Wages component was \$4,949 other costs included signage, advertising, printing etc).

The current procedure required by the *Local Government Act 1995* is that the Electoral Commissioners written agreement has to be obtained before the vote by Council is taken for a postal vote to be conducted by the Electoral Commission. To facilitate the process the attached document is the Electoral Commissioners agreement to be responsible for the conduct of the ordinary elections for 2013.

NB: Although staff have obtained this agreement from the Western Australian Electoral Commission it in no way binds or commits the Shire to a postal election.

In view of there is little cost variance between the 2011 in house election costs and the 2013 Postal Vote quotation from the Electoral Commissioner the CEO supports the election to be conducted by the Electoral Commission as a postal vote.

A further benefit being the postal vote is expected to return up to a 60% participation response rate opposed to the Shire of Chapman Valley in person election participation response rate at the 2011 election of 20.6% (North East Ward 86votes cast /out of a possible 462 = 18.6%, South West Ward 67 votes cast /out of a possible 280 = 23.9%)

Alternative recommendation:

“That Council carries out the 2013 Local Government Elections as an in person election and that the Shire Administration Office be the only designated polling place on Election Day.”

In the 2011 Local Government election there were 3 polling places at Yuna, Nabawa and Drummond Cove. The cost for conducting the 2011 election approximately \$9,000 excl gst. This is comparative to the Electoral Commission quote to conduct the election in 2013 of \$9,090.90 excl gst, as a postal vote. The Shire of Chapman Valley participation rate average was $153/742 = 20.6\%$. As shown below this was 12.64% less than the Statewide Average of 32.64% for an in person election. In 2011 the Electoral Commission conducted 66 postal vote elections for WA Local Government with a 30.9% average participation rate (**Attachment 2**).

Extract from Electoral Commission website below:

Voting-in-person elections

Local governments or, by request, the Electoral Commissioner, can conduct voting-in-person elections. At these elections, electors vote at polling places within their district on polling day. At the voting-in-person elections, voter turnout rates vary greatly, from 13.75% to 69.86%, with a Statewide average of 32.64% in 2011.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Election) Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cost to Council of approximately \$10,000 incl gst or \$9,090.90 excluding gst.
To be listed on the 2013/14 Annual budget under election expenses.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

That Council:

- 1 Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required.
- 2 Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.



Government of Western Australia
Department of Local Government

12 FEB 2013

Record No AD13533

Your Ref: 404.03
Our Ref: CV1-8#03 E1303304

BY:.....

Mr Stuart Billingham
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Mr Billingham

SHIRE OF CHAPMAN VALLEY – WARDS AND REPRESENTATION

The Minister for Local Government has approved the recommendation of the Local Government Advisory Board that for the Shire of Chapman Valley that the number of councillors in the North East Ward be five (5) and the number of councillors for the South West Ward be three (3).

These changes will be implemented at the 2013 local government elections.

Administrative processes are now in place to obtain the Governor's approval and publish the changes in the *Government Gazette*. You will be notified when gazettal has taken place.

Yours sincerely

Janet Berg
A / POLICY & RESEARCH OFFICER
REFORM IMPLEMENTATION

8 February 2013

Gordon Stephenson House
140 William Street Perth WA 6005
GPO Box R1250 Perth WA 6844
Tel: (08) 6552 1500 Fax: (08) 6552 1555 Freecall: 1800 620 511 (Country only)
E-mail: info@dlg.wa.gov.au Website: www.dlg.wa.gov.au
wa.gov.au

4811/0000



LGE 028



WESTERN AUSTRALIAN Electoral Commission

402.00
Record No CR137043

Mr Stuart Billingham
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Mr Billingham

Local Government Ordinary Election: 2013

Thank you for your email dated 25 January 2013 requesting a cost estimate for the Western Australian Electoral Commission to conduct the October 2013 ordinary elections as a postal election for the Shire of Chapman Valley.

The estimated cost for the 2013 election if conducted as a postal ballot is \$10,000 including GST, which has been based on the following assumptions:

- 770 electors
- response rate of approximately 60%
- 4 vacancies
- count to be conducted at the offices of the Shire of Chapman Valley.

Costs not incorporated in this estimate include:

- non-statutory advertising (ie any additional advertisements in community newspapers and promotional advertising)
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day.

Level 2, 111 St Georges Terrace, PERTH WA 6000 GPO Box F316 PERTH WA 6814
Telephone: (08) 9214 0400 Facsimile: (08) 9226 0577 Email: waec@waec.wa.gov.au
Website: www.waec.wa.gov.au



The Commission is required by the *Local Government Act 1995* to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.

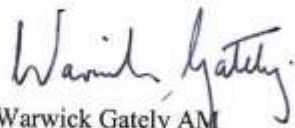
The current procedure required by the *Local Government Act 1995* is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2013 for the Shire of Chapman Valley in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. My agreement is subject to the proviso that the Shire of Chapman Valley also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your council will now need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I look forward to conducting this election for the Shire of Chapman Valley in anticipation of an affirmative vote by Council.

Yours sincerely



Warwick Gately AM
ELECTORAL COMMISSIONER

29 January 2013

AGENDA ITEM:	9.2.4
SUBJECT:	CHAPMAN VALLEY AGRICULTURAL SOCIETY INC.
PROPONENT:	CHAPMAN VALLEY AGRICULTURAL SOCIETY INC.
SITE:	N/A
FILE REFERENCE:	803.06
PREVIOUS REFERENCE:	
DATE:	5 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley has received correspondence dated 1 February 2013 from the Chapman Valley Agricultural Society Inc (CVAS), inviting the Shire of Chapman Valley to nominate a Councillor and the Community Development Officer to become members of the Chapman Valley Agricultural Society Inc Committee. A copy of this correspondence is included as **Attachment 1**.

COMMENT

The request is of an urgent nature as a number of Executive positions will become vacant at this year's Annual General Meeting on 11 March 2013. The Chapman Valley Agricultural Society seeking closer Council involvement in the Committee to improve communication and get things done. The Chief Executive Officer does not support the Shire Community Development Officer becoming part of the CVAS Committee. The Committee has historically been run by Community volunteers and any membership should not be forced upon any person or Shire staff member.

The Annual Chapman Valley Agricultural Show is the premier event on the Shire of Chapman Valley Events Calendar. Attached is the information for the next Annual General Meeting to be held on 11 March 2013 at 7.30pm at the Chapman Valley Showground's.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple

STAFF RECOMMENDATION

That Councillor _____ nominates to be a representative on the Chapman Valley Agricultural Society Committee.

RECEIVED
- 1 FEB 2013

803.06
Record No CR137045

Y:-----
Chapman Valley Agricultural Society Inc.
PO Box 394
Geraldton 6531

Stuart Billingham
CEO
Shire of Chapman Valley

Dear Stuart

I would like to request for your consideration that you encourage a Councillor and the Community Development Officer to be a member of the Chapman Valley Agricultural Society Committee.

The request this year is more urgent than when you and Nicole came to our first meeting last year as several office bearers including myself and my wife Margaret are not able to continue in the executive positions.

We have advertised the AGM in the Valley Vibes and organised a letter box drop to RSM and private boxes in the whole of the Shire of Chapman Valley. Part of the same advert will be in the Midwest Times & Geraldton Guardian

This event is the "Main Event of the Year" for the Shire of Chapman Valley. The City of Greater Geraldton have a Councillor and the Community Development officer actively assisting with their Major events like Australia Day & Sunshine Festival. They are the life line back to Council and Councillors and do assist in many ways as well as with extra funding applications.

Last year 2012 was a new year for both the Secretary & myself and we had to struggle to keep up with the previous years date lines.
The secretary resigned on showday.
The task is huge and I'm worried for any new secretary as most people work and this is a full time position.
We were proactive and shared the role with 3 other assistant secretaries.

An example of requests needing attention

I asked my wife Margaret to mention the toilets not working on show day in the dining hall when she visited the shire office recently.
The reply was that's your building you fix it.
Seems odd when a tree outside the dining hall was lopped and organised by the Shire because it was dangerous just before the 2012 show .
The huge trees over the septic tanks are causing the roots to jam up the septic
Is this the responsibility of the Agricultural Society ?
The building is the property of the CVAS not the grounds.

1 FEB 2013

We have several works orders requiring attention and by having a Councillor on the committee maybe they could assist with getting this correct information to you for approval to help the volunteers to get the jobs done in time for the next show. On one job we need a loader or large fork lift to lift the sea container and put it on blocks.

It would be quicker to use equipment that the shire has instead of negotiating to get equipment from Geraldton and the volunteer to repay the favour at a later date. We are all volunteers some working out of town and trying to co-ordinate busy bees to keep up with jobs to do before the rush is on closer to show day. This is the kind of assistance needed at the moment.

Attached is the flyer which has gone out to all of Chapman Valley and hope we do get someone prepared to step up including a councillor or the way I see it we may have to forgo this years' show.

Yours truly

Des Pike
0418754905
1st February 2013



Chapman Valley Agricultural Society AGM

**Chapman Valley Showgrounds
Monday 11TH March 2013
7.30pm**

ALL POSITIONS ARE VACANT

The present committee would like to welcome & encourage participation on our committee from all Sporting clubs, Community & Agricultural groups.

This would give your group an input into how the show is conducted from the beginning until Show Day

Some of these groups derive their major fundraising income from the Chapman Valley Show.

Welcome also to anyone who is keen and would love to participate as a Committee member or office bearer as all position are vacant.

We are small in numbers and desperately need more helpers on our committee. More people to share the roles will make the running of the show so much easier and pleasurable.

Come and join this innovative group and help us make the 64th Chapman Valley Show the best yet

We need you and look forward to meeting you at our AGM

President
Des Pike 0418 754 905

AGENDA ITEM:	9.2.5
SUBJECT:	LAND CONSERVATION DISTRICT COMMITTEE
PROPONENT:	DEPARTMENT OF AGRICULTURE & FOOD
SITE:	N/A
FILE REFERENCE:	701.04
PREVIOUS REFERENCE:	
DATE:	5 FEBRUARY 2013
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley has received correspondence dated 31 January 2013 from the Department of Agriculture and Food (Commissioner of Soil and Land Conservation) inviting the Shire of Chapman Valley's nomination to the Land Conservation District Committee (LCDC). A copy of the correspondence has been included as **Attachment 1**.

COMMENT

The term of the appointment for the members of the Chapman Valley Land Conservation District Committee is due to expire on 28 February 2013.

There is currently provision to appoint one representative from the Shire of Chapman Valley. The current representative is Cr Trevor Royce.

The appointment would be for a term of three (3) years.

New nominees who have not previously served on the committee should complete a nomination information sheet as per attached and return it to Department of Agriculture and Food.

Cr Royce has indicated that he is willing to remain as the Shire of Chapman Valley's representative to the Land Conservation District Committee.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple

STAFF RECOMMENDATION

That Council nominates Cr Trevor Royce to the Chapman Valley Land Conservation District Committee.



Government of Western Australia
Department of Agriculture and Food



701-04
Record No A13513

Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Your Ref:
Our Ref: 881703V05P0V/2
Enquiries: Mrs Gail Arnold (08 9368 3301)
Date: 23 January 2013

Dear Sir

**CHAPMAN VALLEY LAND CONSERVATION DISTRICT
NOMINATIONS FOR COMMITTEE RE-APPOINTMENT**

The term of appointment for the members of the Chapman Valley Land Conservation District Committee is due to expire on the **28 February 2013**.

On behalf of the Commissioner of Soil and Land Conservation, I am writing to request the Shire of Chapman Valley's nomination for re-appointment to this Committee. Nominations are required as soon as possible, to enable re-appointment of this Committee.

There is currently provision to appoint one representative from the Shire of Chapman Valley. Our records show that the present representative is Trevor Royce.

I would appreciate if you would forward details of Council's nominations as soon as convenient. New nominees who have not previously served on the Committee should complete a nomination information sheet (attached) and return it to this office.

Thank you for your assistance with this matter. If you require further information please contact me on (08) 9368 3301.

Yours sincerely

Gail Arnold
LCDC PROJECT OFFICER

att

OFFICE OF THE COMMISSIONER OF SOIL AND LAND CONSERVATION

3 BARON-HAY COURT SOUTH PERTH WESTERN AUSTRALIA 6151 (POSTAL ADDRESS: LOCKED BAG NO 4 BENTLEY DELIVERY CENTRE WA 6983)
TELEPHONE: (08) 9368 3282 FACSIMILE: (08) 9368 3654



LAND CONSERVATION DISTRICT COMMITTEE

NOMINATION INFORMATION

LAND CONSERVATION DISTRICT _____

SURNAME:
(Mr, Mrs, Miss, Ms) _____

OTHER NAMES: _____

LOCALITY: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____ **FAX NO:** _____

EMAIL ADDRESS: _____

OCCUPATION: _____

REASONS FOR NOMINATION
(Include achievements, projects, Committees etc) _____

OTHER BACKGROUND COMMENTS _____

Signature of Nominee to confirm
agreement to nomination

**** CONFIDENTIAL ITEMS ****

AGENDA ITEM:	9.2.6
SUBJECT:	CONFIDENTIAL ITEM – LEASE RENEWAL
PROPONENT:	MS ROBYNE HOSKING
SITE:	LOT 6 (9) INDIALLA ROAD CHAPMAN VALLEY
FILE REFERENCE:	A1719
PREVIOUS REFERENCE:	NIL
AUTHOR:	STUART BILLINGHAM

AGENDA ITEM:	9.2.7
SUBJECT:	CONFIDENTIAL ITEM – LEASE RENEWAL
PROPONENT:	N & C PHILIPPA
SITE:	LOT 19(3285) CHAPMAN VALLEY ROAD, NABAWA
FILE REFERENCE:	A1333
PREVIOUS REFERENCE:	NIL
AUTHOR:	STUART BILLINGHAM

AGENDA ITEM:	9.2.8
SUBJECT:	CONFIDENTIAL ITEM – ANNUAL LEAVE DEFERMENT
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	N/A
DATE:	14 FEBRUARY 2013

AGENDA ITEM:	9.2.9
SUBJECT:	CONFIDENTIAL ITEM – CEO ANNUAL PERFORMANCE REVIEW
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	NABAWA
FILE REFERENCE:	908.132
PREVIOUS REFERENCE:	N/A
DATE:	14 FEBRUARY 2013

COMMENT

In accordance with the *Local Government Act 1995* Section 5.23(2)(b) it is appropriate for Council to resolve, by procedural motion, to “Meet Behind Closed Doors” where Agenda Items should be considered as being matters affecting the personal affairs of any person.

It is a requirement of the *Freedom of Information Act 1992* that all information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality.

Once all negotiations have been completed these will be considered “exempt documents” in accordance with Schedule 1 of the *Freedom of Information Act 1992*, denying public access.

STAFF RECOMMENDATION

That Council:

- 1 Resolve to “Meet Behind Closed Doors” to discuss Agenda Item 9.2.6, 9.2.7, 9.2.8 & 9.2.9 as they are considered to be matters that affect personal affairs; &
- 2 Reopen the meeting once discussion and voting on Item 9.2.9 is complete.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

9.3 Manager of Finance & Administration February 2013

Contents

9.3 AGENDA ITEMS

- 9.3.1 Financial report for December 2012 & January 2013
- 9.3.2 2012/2013 Budget Review

AGENDA ITEM:	9.3.1
SUBJECT:	FINANCIAL REPORTS FOR DECEMBER 2012 & JANUARY 2013
PROPONENT:	MANAGER OF FINANCE AND ADMINISTRATION
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	14 FEBRUARY 2013
AUTHOR:	DEBBY BARNDON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

COMMENT

Attached to this report are the monthly financial statements for December 2012 and January 2013 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

In accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Financial Management Regulations 1996, monthly reporting will be provided as follows:

- 1. Statement of Financial Activity*
- 2. Balance Sheet and statement of changes in equity*
- 3. Schedule of Investments*
- 4. Operating Schedules 3 – 16*
- 5. Acquisition of Assets*
- 6. Trust Account*
- 7. Reserve Account*
- 8. Loan Repayments Schedule*
- 9. Restricted Assets*
- 10. Disposal of Assets*

A value of 5 percent is set for reporting of all material variances."

FINANCIAL IMPLICATIONS

As presented in December 2012 & January 2013 financial statement.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council receive the financial report for the months of December 2012 and January 2013 comprising the following:

- Summary of Payments
- Summary of Financial Activity,
- Net Current Assets
- Detailed Statement of Financial Activity,
- Details of Cash and Investments,
- Statement of Significant Variations,
- Summary of Outstanding Debts
- Reserve Funds
- Information on Borrowings
- Disposal of Assets
- Acquisition of Assets
- Rating Information
- Trust Fund Reconciliations
- Bank Reconciliation
- Credit Card Statements

AGENDA ITEM:	9.3.2
SUBJECT:	2012/2013 BUDGET REVIEW
PROPONENT:	MANAGER OF FINANCE AND ADMINISTRATION
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	15 FEBRUARY 2013
AUTHOR:	DEBBY BARNDON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to conduct a budget review between 1 January and 31 March each financial year and to determine whether or not to adopt the review. A copy of the review is also required to be provided to the Department.

COMMENT

Officers have conducted a review of the 2012/2013 adopted budget. During this process consideration was given to the presentation and format of information within the accounting system. The attached reports are indicative of these changes and appear in the Operating Revenue General Purpose Funding and then further in Schedule 12 showing a clearer break up of funding income relating to roads. A summary of predicted variations has been compiled to form a budget review being Note 5 in the attached document.

STATUTORY ENVIRONMENT

Regulation 33A of the Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Policy 5.20

FINANCIAL IMPLICATIONS

Various Amendments to Budget Items caused by various operational surplus and deficits.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Absolute majority required.

OFFICER RECOMMENDATION

That Council resolve:

- 1 To adopt the Budget review prepared as at 31st December 2012 as presented.
- 2 That a copy of the review be formally forwarded to the Department of Local Government in accordance with Financial Regulation (33A) of the *Local Government Act 1995*.

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

**12.0 GENERAL BUSINESS
(of an urgent nature introduced by decision of meeting)**

12.1 Elected Members

12.2 Officers

13.0 CLOSURE